

## **EXHIBIT E**

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

6 SHANDI CRAPPELL and )  
7 RIC SZABO, )  
8 PLAINTIFFS, )  
9 VS. ) NO: 21-CV-00468  
10 MUNCY INDUSTRIES, LLC, )  
d/b/a MUNCY MACHINE & )  
TOOL CO., INC., )  
DEFENDANT )

12 ZOOM  
DEPOSITION OF: RICHARD SZABO

TAKEN BY: DEFENDANTS

11 BEFORE: HEATHER GOSS BORING  
15 NOTARY PUBLIC

16 DATE: JUNE 30, 2022  
10:00 A.M.

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I N D E XTESTIMONY OFEXAMINATION

RICHARD SZABO

4	By Mr. Stapp:	4, 89
5	By Ms. Kramer:	85

E X H I B I T S

7	<u>DEPOSITION EXHIBITS</u>	<u>PRODUCED AND</u>
8		<u>MARKED</u>
9	<u>Exhibit 1</u> - 1-Page Employment Warning Report Bates MUNCY-000131	30
10	<u>Exhibit 2</u> - 1-Page Undated Offer Letter Bates MUNCY-000079	35
11	<u>Exhibit 3</u> - 2-Page Company Vehicle Agreement Bates MUNCY-000076	40
12	<u>Exhibit 4</u> - 2 Pages of U-Haul Receipts Bates MUNCY-121 & 122	42
13	<u>Exhibit 5</u> - 1-Page Expense Statement Bates MUNCY-001117	45
14	<u>Exhibit 6</u> - 2 Pages of Receipts Bates MUNCY-118 & 120	47

REQUEST MADE ON RECORD

STAPP - PAGES 74, 77, 78

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## STIPULATION

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3           It is hereby stipulated by and between  
4 counsel for the respective parties that reading,  
5 signing, sealing, certification, and filing are  
6 waived, and that all objections except as to the form  
7 of the question are reserved to the time of trial.

8

9

10           RICHARD SZABO, called as a witness, being  
11 sworn, testified as follows:

12

## EXAMINATION

13

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BY MR. STAPP:

13:05:57

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Q        Okay. Mr. Szabo, you know my name is  
13:05:59 16 Greg Stapp and we've taken your deposition before in  
13:06:02 17 another case, so I just want to ask you, do you  
13:06:09 18 recall the rules that we went over with regard to  
13:06:12 19 your deposition from that previous deposition?

13:06:16

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A        Yes, I do.

13:06:17

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13:06:22

Q        And the primary thing is just to make sure  
13:06:22 22 your answers are verbal and not a shrug, especially  
13:06:24 23 since we are doing this via Zoom, it is going to be  
13:06:27 24 important that we know what your answer is to the  
13:06:30 25 question, so.

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RICHARD SZABO

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13:06:31 1 So let me start by asking you, did you talk  
13:06:35 2 to anyone, other than your attorney, please don't  
13:06:39 3 talk to me about what you discussed with Ms. Kramer  
13:06:42 4 or any counsel you have, but did you speak to anyone  
13:06:45 5 who is not your attorney prior to today's deposition  
13:06:48 6 about this deposition?

13:06:49 7 A No, sir.

13:06:50 8 Q Okay. Did you review any documents of any  
13:06:55 9 kind prior to today's deposition?

13:06:57 10 A Yes, I have.

13:06:59 11 Q What documents did you review?

13:07:01 12 A The documents that your team sent over to  
13:07:09 13 Miss Mary about my travel. It was a travel history,  
13:07:14 14 I think it was a couple pages --

13:07:15 15 Q Okay.

13:07:16 16 A -- of when I was involved with Muncy.

13:07:19 17 Q Okay. Anything else you reviewed besides  
13:07:24 18 the discovery information we gave to you?

13:07:26 19 A The interrogatories and such, but nothing  
13:07:30 20 else.

13:07:30 21 Q Okay. Mr. Szabo, have you ever been  
13:07:36 22 convicted for a crimen falsi crime, and let me  
13:07:40 23 explain to you what that means, when we say  
13:07:42 24 crimen falsi it means a crime involving some kind of  
13:07:49 25 dishonesty like a theft, a theft by deception. Ever

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13:07:51 1 been charged with any kind of crimen falsi crime that  
13:07:54 2 you are aware of?

13:07:55 3 A No, sir.

13:07:56 4 Q So I want to talk to you about some of the  
13:08:04 5 documents that you reviewed today, so I'll try to do  
13:08:08 6 this by sharing screen. But let me first begin by  
13:08:12 7 asking you a question with regard to your employment  
13:08:16 8 at Muncy. You were a salaried employee; is that  
13:08:20 9 correct?

13:08:20 10 A Yes.

13:08:22 11 Q And how were you paid? Did you get paid  
13:08:28 12 weekly, biweekly?

13:08:29 13 A It was weekly.

13:08:32 14 Q And what was your understanding of the days  
13:08:37 15 and the hours that you were going to be working as a  
13:08:40 16 salaried employee?

13:08:41 17 A The understanding was that I would work  
13:08:51 18 whatever was needed of me, but I would only get paid  
13:08:55 19 for a salary of 40 hours a week, regardless of how  
13:09:03 20 much I worked pretty much.

13:09:03 21 (Court reporter clarification.)

13:09:05 22 BY MR. STAPP:

13:09:05 23 Q You said regardless of how much you worked,  
13:09:08 24 is that what you said?

13:09:10 25 A That was, yes, I'm sorry, yes.

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RICHARD SZABO

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13:09:13 1 Q So help me understand what you mean you  
13:09:19 2 were going -- who told you you would be paid 40 hours  
13:09:22 3 a week?

13:09:22 4 A I was told such -- I was told by  
13:09:38 5 Jason Fetter when I was hired I would be paid a  
13:09:42 6 salary. I would be paid a salary of x amount of  
13:09:46 7 dollars and that that salary would total a 40-hour  
13:09:50 8 work week. Also it is in the employee handbook that  
13:09:58 9 salaried employees are paid at a 40-hour work week.  
13:10:04 10 So.

13:10:08 11 Q Okay. And you believe that language of  
13:10:11 12 40-hour work week is in the handbook; is that  
13:10:16 13 correct?

13:10:16 14 A I believe to the best of my knowledge, I  
13:10:21 15 don't have the handbook anymore, but I could see if I  
13:10:27 16 could locate it, but just -- I don't -- yeah.

13:10:31 17 Q So getting back to my earlier question,  
13:10:33 18 which may have been compound, what was your  
13:10:36 19 understanding when you were hired in 2018 of what  
13:10:40 20 days of the week you would work and what hours?

13:10:43 21 A My understanding would be a Monday through  
13:10:49 22 Friday type of situation with an occasional Saturday  
13:10:57 23 if something happened. That was the understanding.

13:11:01 24 Q And what hours of the days Monday through  
13:11:04 25 Friday was your understanding you would be working?

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13:11:06 1 A Oh, when I first started, it was from eight  
13:11:11 2 to five if I was in the office. But if I traveled  
13:11:18 3 that could vary, you know, I would try to stick by  
13:11:26 4 eight to five to travel but sometimes that changes.

13:11:29 5 Q And Megan, I'm going to try to pronounce it  
13:11:34 6 correctly and then I'll give the spelling to the  
13:11:39 7 court reporter, Delahoussaye said that you were  
13:11:41 8 allowed, you and other employees were allowed to  
13:11:44 9 travel Monday through Friday if you wanted to. Do  
13:11:47 10 you agree or disagree with that statement?

13:11:49 11 A I'm not sure I understand the question.  
13:11:58 12 Well, of course we would travel during the week.  
13:12:00 13 That was our work hours. I'm not sure what the  
13:12:03 14 "allowed" comment means. To me that's a key word.

13:12:07 15 Q Well, you were allowed to travel Monday  
13:12:10 16 through Friday if you wanted to, correct?

13:12:12 17 A I disagree. Not correct.

13:12:18 18 Q Why do you believe you weren't --

13:12:21 19 A Because there's -- because if Jason wanted  
13:12:24 20 me to travel on a Saturday or a Sunday, I couldn't, I  
13:12:27 21 couldn't argue with that. I had to. So I disagree  
13:12:31 22 with the "allowed" comment.

13:12:33 23 Q Okay. And why do you believe Jason wanted  
13:12:35 24 you to travel on a Saturday or a Sunday?

13:12:38 25 A Because number one, he's [Zoom inaudible]

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13:12:48 1 that he didn't have to pay me. And number two, the  
13:12:55 2 logic behind it would mean me being at a customer's  
13:12:58 3 location on a Monday or a Friday, rather than using  
13:13:03 4 the Monday, like to Friday, to travel and not be at  
13:13:09 5 the customers. So I understand the logic behind it,  
13:13:11 6 but it's not fair that I have to use my weekends and  
13:13:15 7 not being paid for any travel time and my whole  
13:13:17 8 weekend is gone.

13:13:18 9 Q Okay. Well, Megan Delahoussaye testified  
13:13:22 10 that you if you wanted to travel from Monday to  
13:13:25 11 Friday from eight to five p.m. you could have done  
13:13:28 12 that. Do you agree with that statement?

13:13:29 13 A I disagree with that 100 percent.

13:13:33 14 Q Okay. Why do you believe you couldn't  
13:13:35 15 travel Monday through Friday eight to five?

13:13:37 16 A Because there was there were several  
13:13:40 17 instances, I can't give you dates and times, that I  
13:13:45 18 requested this with Jason and I was told absolutely  
13:13:49 19 not, to quote Jason, absolutely not.

13:13:53 20 Q "Absolutely not" what?

13:13:54 21 A Absolutely not.

13:13:59 22 Q That you couldn't --

13:14:00 23 A The answer was can I leave on a Monday  
13:14:02 24 instead of a Sunday so the question would be can I  
13:14:06 25 leave on a Monday instead of Sunday, his answer would

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13:14:10 1 be absolutely not. You need to go Sunday.

13:14:12 2 Q Okay, well, sir, it's your litigation,  
13:14:14 3 right, so I don't have the burden of proof here, you  
13:14:16 4 do. So my question to you is are you saying this is  
13:14:19 5 a verbal conversation you had?

13:14:23 6 A Well, of course it would be a verbal  
13:14:25 7 conversation.

13:14:25 8 Q Okay. Do you have any kind of e-mails,  
13:14:29 9 text messages, anything like this where Mr. Fetter  
13:14:33 10 asked you to travel on a weekend?

13:14:35 11 A I could probably find something. I don't  
13:14:44 12 have anything up here right now to show the court or  
13:14:47 13 show you, no, but I could dig deep probably and  
13:14:50 14 produce something.

13:14:51 15 Q Okay. Well, you need to get that to me as  
13:14:54 16 soon as possible because the question here, sir, is  
13:14:59 17 when you would work outside of the eight to five  
13:15:02 18 hours, it was your decision to work after eight to  
13:15:06 19 five Monday through Friday, correct?

13:15:07 20 A That's not true, no.

13:15:11 21 Q Okay. Who's making the decision that you  
13:15:14 22 had to work outside Monday to Friday eight to five?

13:15:16 23 A My supervisor, Jason Fetter.

13:15:19 24 Q And how did he can require you to do that?

13:15:22 25 A Through delegation of authority.

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RICHARD SZABO

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13:15:29 1 Q How would he delegate the authority?

13:15:35 2 A By saying, Ric, I need you to travel on

13:15:38 3 these dates or call me up on the phone and discuss

13:15:42 4 the plan throughout the week, saying for the

13:15:46 5 future -- say for a future trip, upcoming trip, and

13:15:51 6 he would be like I need you to do this and this and

13:15:54 7 this and this is how it's going to be, what do you

13:15:59 8 think. And sometimes I would disagree with it

13:16:02 9 because he would be wanting me to come home on a

13:16:05 10 Saturday and leave again on a Sunday for another week

13:16:09 11 and that would be where we would disagree, where we

13:16:11 12 would butt heads because he would absolutely require

13:16:14 13 me to travel on weekends.

13:16:18 14 Q And again --

13:16:19 15 A And since --

13:16:20 16 Q -- how was this communicated to you? Are

13:16:22 17 you saying these are verbal conversations you're

13:16:23 18 having?

13:16:24 19 A Verbally over the phone, yep, or in person

13:16:27 20 if he would be in the office.

13:16:28 21 Q Okay. Anytime was that put in any kind of

13:16:31 22 e-mail or text message or written correspondence to

13:16:36 23 you?

13:16:36 24 A Sometimes through Ms. Bunting in e-mails

13:16:41 25 basically typing, you know, telling me my itinerary,

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13:16:46 1 when I would travel, when I would leave, when I would  
13:16:49 2 return home, you know, it was just make up the entire  
13:16:54 3 trip.

13:16:54 4 Q Hang on one second, the court reporter is  
13:16:54 5 asking what you said. You said sometimes through  
13:16:54 6 Ms. Bunting; is that correct? B-U-N-T-I-N-G?

13:16:54 7 A Yes.

13:17:03 8 Q Again, the testimony that was given by  
13:17:07 9 Ms. Bunting, Megan, was if you had asked to travel  
13:17:11 10 from Monday through Friday eight to five, you could  
13:17:14 11 have done that? Do you agree or disagree with that  
13:17:17 12 testimony?

13:17:17 13 A I disagree.

13:17:20 14 Q Okay. And why do you believe you couldn't  
13:17:22 15 have asked to travel Monday to Friday, eight to five?

13:17:25 16 A Because I asked several times because I had  
13:17:28 17 plans on the weekends and I was told that I could not  
13:17:32 18 do that.

13:17:33 19 Q When you say you had asked several times,  
13:17:35 20 again are these conversations being held verbally?

13:17:38 21 A Yes.

13:17:39 22 Q And who was it that was telling you  
13:17:45 23 weren't allowed to travel Monday through Friday eight  
13:17:47 24 to five? Was it Ms. Bunting, Ms. Delahoussaye,  
13:17:55 25 somebody else, who was it?

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13:17:56 1 A No, it would be Mr. Jason Fetter.

13:17:58 2 Q Did anybody else other than Jason Fetter  
13:18:02 3 ever tell you you had to travel outside of Monday to  
13:18:05 4 Friday eight to five o'clock?

13:18:06 5 A No. There was -- they didn't have any  
13:18:11 6 authority to do so; only Jason.

13:18:13 7 Q When you were traveling outside of the  
13:18:29 8 Monday through Friday, eight to five, did you ever  
13:18:32 9 ask to be paid for that time while you were working  
13:18:35 10 at Muncy Industries?

13:18:36 11 A I did not, because the understanding I'm  
13:18:43 12 unpaid.

13:18:44 13 Q Why are you asking for it now?

13:18:46 14 A Because I found out that I was paid  
13:18:54 15 improperly after the fact and that Jason Fetter  
13:19:01 16 broke the law.

13:19:01 17 (Court reporter clarification.)

13:19:01 18 BY MR. STAPP:

13:19:07 19 Q How did you find that out, sir?

13:19:08 20 A Through my new employer and the proper, you  
13:19:14 21 know, talking with other people, several people about  
13:19:17 22 my past and -- excuse me -- they all said you should  
13:19:27 23 look into it, so I did.

13:19:28 24 Q Who was the first person that told you got  
13:19:30 25 paid -- that they believed you were getting paid in

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13:19:34 1 violation of federal law?

13:19:39 2 THE WITNESS: Do I have to answer that,  
13:19:40 3 Mary? I think that's a privacy thing.

13:19:44 4 MS. KRAMER: Ric, unless it's conversations  
13:19:45 5 between you and myself, you do have to answer about  
13:19:49 6 those.

13:19:50 7 THE WITNESS: of who told me?

13:19:50 8 BY MR. STAPP:

13:19:50 9 Q Yeah, who was --

13:19:52 10 MS. KRAMER: Unless it's anyone from my  
13:19:53 11 office, it would be. You don't have to disclose  
13:19:56 12 anything you talked about or were told by anyone from  
13:20:00 13 my office, but otherwise, yes, you need to answer.

13:20:05 14 THE WITNESS: okay.

13:20:07 15 A So it would have been my new employer,  
13:20:07 16 Phil Chant.

13:20:14 17 BY MR. STAPP:

13:20:14 18 Q So Phil Chant was the first person to tell  
13:20:17 19 you you were being paid, in what he believed, was a  
13:20:20 20 violation of federal law?

13:20:21 21 A Yes.

13:20:22 22 Q How close in time was that comment to you  
13:20:27 23 in relation to his request to you to send the e-mail  
13:20:31 24 that you sent to some of the Muncy Industries  
13:20:35 25 customers?

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13:20:37 1 MS. KRAMER: I'm going to -- I would object  
13:20:40 2 to that, Greg, because I don't believe he e-mailed  
13:20:45 3 anything that may be part of the other claims.

13:20:48 4 MR. STAPP: I think it's relevant for his  
13:20:50 5 motivation as to why he's here and the jury is  
13:20:54 6 certainly allowed to hear that.

13:20:54 7 BY MR. STAPP:

13:20:55 8 Q So I just want to know if it was during  
13:20:56 9 that same conversation that you were asked to send an  
13:20:58 10 e-mail to Muncy customers or not?

13:21:00 11 A It was not during the same conversation  
13:21:00 12 whatsoever.

13:21:04 13 Q Was it before you were asked to send  
13:21:05 14 e-mails to the customers or after?

13:21:07 15 A Oh, it was way before.

13:21:09 16 Q Okay. So before you were asked to send an  
13:21:14 17 e-mail, Phil Chant told you that you could sue  
13:21:17 18 Muncy Industries for what he believed was a violation  
13:21:21 19 of federal law?

13:21:22 20 A Yes, it was before that conversation about  
13:21:27 21 the e-mail, yes.

13:21:28 22 Q How close, was it during your interview or  
13:21:31 23 was it after you were hired that you were told this?

13:21:34 24 A (No response.)

13:21:34 25 (Court reporter clarification.)

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13:21:34 1 BY MR. STAPP:

13:21:34 2 Q I didn't hear. Did you answer the  
13:21:34 3 question?13:21:48 4 A I'm sorry. There were -- there were  
13:21:48 5 multiple conversations probably repeated, so it would  
13:21:51 6 have been after, it would have been before. It was  
13:21:56 7 talked about multiple times.13:21:58 8 Q Did he talk to you about it when he first  
13:22:00 9 reached out to you, that is Phil Chant, to come work  
13:22:03 10 for him?

13:22:08 11 A No. It was not.

13:22:10 12 Q Was it when you first came up to  
13:22:14 13 Pennsylvania to interview with them for the job that  
13:22:16 14 he talked to you about it?13:22:17 15 A Yeah, maybe during that time frame, yes,  
13:22:22 16 sir.13:22:22 17 Q And did Mr. Chant actively encourage you to  
13:22:28 18 file a federal lawsuit against Muncy Industries?13:22:30 19 A It was a mutual partaking, I guess you  
13:22:37 20 could say. At first I said, well, I'll think about  
13:22:43 21 it. I'll think about it, you know, and the more I  
13:22:45 22 thought about it then I decided to do it. But there  
13:22:52 23 were multiple conversations that proceeded forward.13:22:57 24 Q How many, when you say "multiple," how many  
13:22:59 25 times did you guys talk about it?

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13:23:00 1 A Oh, gosh, this is bad. I don't count these  
13:23:04 2 things. There were multiple conversations.

13:23:06 3 Q More than two?

13:23:07 4 A Yes.

13:23:08 5 Q How about more than five conversations?

13:23:11 6 A Maybe.

13:23:16 7 Q Less than ten or more than ten?

13:23:18 8 A Less than ten.

13:23:20 9 Q Okay. So somewhere between five and ten  
13:23:22 10 conversations before you decided to pursue a federal  
13:23:25 11 lawsuit?

13:23:27 12 A Yes, sir.

13:23:28 13 Q And during that time was Mr. Chant  
13:23:32 14 encouraging you to file a lawsuit against  
13:23:34 15 Muncy Industries?

13:23:34 16 A I wouldn't say "encouraging," I would more  
13:23:41 17 or less say checking on me to see how things are  
13:23:45 18 going and if I reached out to Murphy Law Group.

13:23:51 19 Q Did he give you the name of Murphy Law Firm  
13:23:54 20 to call?

13:23:54 21 A He did not. He didn't even know Murphy.

13:24:00 22 It was actually his employment lawyer, his employment  
13:24:03 23 law firm. And I don't even know who they are -- if  
13:24:14 24 they --

13:24:14 25 Q So just so I understand, Mr. Chant gave you

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13:24:18 1 the name of his employment lawyer to call about this?

13:24:20 2 A No. They reached out to me via e-mail.

13:24:23 3 Q An attorney reached out to you via e-mail

13:24:27 4 that works with Phil Chant?

13:24:29 5 A It may be -- may have been a paralegal of

13:24:33 6 some sort that gave me Murphy Law Group's

13:24:37 7 information, actually gave me a specific person's

13:24:40 8 e-mail from Murphy, who had initially started this

13:24:44 9 claim with. Mary Kramer was not the initial person.

13:24:48 10 Q Okay. So if I understand you correctly,

13:24:53 11 I'm not asking what your communications said. An

13:24:58 12 attorney or somebody who works for an attorney what

13:25:01 13 works for Phil Chant reached out to you to help you

13:25:04 14 locate an attorney to file a federal lawsuit; is that

13:25:06 15 a correct statement?

13:25:07 16 A That would be a correct statement.

13:25:08 17 Q Before you met Phil Chant, did you have any

13:25:14 18 designs about filing a federal lawsuit for a Fair

13:25:19 19 Labor Standards Act against Muncy Industries?

13:25:20 20 A No, sir, I did not.

13:25:29 21 Q So it's correct to say that if you hadn't

13:25:32 22 met with Mr. Chant that you probably would have never

13:25:33 23 even filed this lawsuit?

13:25:35 24 A Probably correct, yes.

13:25:39 25 Q Let me ask you this, going back to how this

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13:25:50 1 dynamic worked, at least the way you are describing  
13:25:52 2 it, did you ever try to say to Mr. Fetter or anyone  
13:25:56 3 else at Muncy Industries like Kimberly Bunting or  
13:26:00 4 Megan Delahoussaye, that I don't want to travel this  
13:26:03 5 weekend on Saturday or Sunday, can we move it to  
13:26:06 6 Monday morning, did you ever have a time when you  
13:26:08 7 tried to do that?

13:26:09 8 A No, sir.

13:26:10 9 Q Why didn't you ever ask to travel during  
13:26:14 10 Monday through Friday if you didn't want to travel on  
13:26:18 11 the weekends?

13:26:18 12 A Because I already knew the answer, which  
13:26:20 13 would be no.

13:26:21 14 Q How did you know the answer already without  
13:26:23 15 asking the question?

13:26:24 16 A Because I know Jason Fetter.

13:26:29 17 Q You'll have to explain to me what that  
13:26:33 18 means?

13:26:33 19 A Well, I know his attitude towards me and  
13:26:35 20 his attitude towards the trips and there was no room  
13:26:39 21 for error. There was no room for moving things or  
13:26:45 22 adjusting things, whatever he said goes and anyone in  
13:26:52 23 that company will tell you the same answer. whatever  
13:26:55 24 he says goes. He's not a very flexible person.

13:27:00 25 Q Okay. Well, again there were other

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13:27:03 1 employees that have testified in this case and they  
13:27:07 2 indicated that they sometimes would work past five  
13:27:11 3 or work through a lunch hour. Have you worked  
13:27:15 4 through a lunch hour before when you worked for  
13:27:17 5 Muncy Industries?

13:27:18 6 A Yes, numerous occasions.

13:27:21 7 Q And their testimony was that when they  
13:27:24 8 worked through a lunch hour they didn't expect to be  
13:27:27 9 paid because they assumed that was their choice to  
13:27:29 10 decide to work through the lunch hour to get the work  
13:27:32 11 done. How would you characterize your decision to  
13:27:35 12 work through the lunch hour?

13:27:36 13 A It was because, just like you said, you had  
13:27:44 14 to get, sometimes you needed to just buckle up and  
13:27:47 15 get things done. I mean that's what a dedicated  
13:27:51 16 employee does. You push through and get the job  
13:27:54 17 done.

13:27:55 18 Q Right. Like in your situation, sir, just  
13:27:59 19 as an example, you're a calibration technician,  
13:28:03 20 correct, for Muncy Industries?

13:28:04 21 A Yes, sir.

13:28:05 22 Q And if you're at an employer's site and  
13:28:09 23 you're working on a test bed as lunch approaches,  
13:28:14 24 were there many times that you would just go ahead  
13:28:16 25 and finish that work to make sure it got done?

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13:28:19 1 A Oh yes.

13:28:20 2 Q When you did that, that was your decision

13:28:22 3 to keep working through the lunch hour, correct?

13:28:24 4 A It was, yes, sir.

13:28:26 5 Q If you had a test bed when you worked at

13:28:33 6 Muncy Industries where you were approaching

13:28:36 7 5:00 and you were close to getting the job done, were

13:28:38 8 there many times when you would just keep working

13:28:40 9 past five to get that job finished?

13:28:42 10 A Many times.

13:28:44 11 Q Again that choice to go ahead and finish

13:28:48 12 it, whether it's 5:30 or 6:00, that was your choice

13:28:50 13 to keep working to get that job done, correct?

13:28:53 14 A I would like to state for the record

13:28:56 15 because I was salaried paid, I knew that that's what

13:29:03 16 -- that that's what was expected of me from my

13:29:08 17 employer. But let me tell you, if I was hourly paid,

13:29:10 18 there would have been phone calls, there would have

13:29:13 19 been I'm getting paid for this extra time, right?

13:29:16 20 You know, I would have made sure I was getting paid

13:29:22 21 by the hour for the hour. Please let me be clear at

13:29:24 22 that. I mean --

13:29:27 23 Q Yeah. Can you restate that answer, we just

13:29:29 24 didn't catch part of it. I'm sorry.

13:29:32 25 A That's okay. Just know that because I was

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13:29:34 1 salaried, that's what was expected of me and I knew  
13:29:38 2 that. But if I would have been hourly paid, they  
13:29:41 3 would have been making sure I got paid by the hour  
13:29:44 4 for every hour that I stayed after five o'clock.  
13:29:48 5 whether it be a phone call or making sure that he  
13:29:51 6 knew I was still on the job after five.

13:29:55 7 Q So when you were hired you understand  
13:30:00 8 because you were a salaried employee, you were not  
13:30:04 9 going to get paid extra time if you worked past five  
13:30:07 10 or worked through the lunch hour?

13:30:08 11 A I understood that.

13:30:09 12 Q And, in fact, my earlier question to you  
13:30:12 13 was that you were asked to be paid for overtime while  
13:30:17 14 you were at Muncy Industries. Did you ever ask to  
13:30:19 15 get paid for travel time if you traveled for Muncy  
13:30:22 16 outside of Monday through Friday eight to five?

13:30:24 17 A No, I did not.

13:30:26 18 Q Okay. And when you worked at Muncy  
13:30:33 19 Industries, and I know we covered this in other  
13:30:35 20 depos, I'm going to try really hard, Mr. Szabo, not  
13:30:37 21 to repeat questions, but you basically created their  
13:30:40 22 calibration program at Muncy Industries, correct?

13:30:43 23 A I would say, yes, yes.

13:30:48 24 Q And you taught several individuals at  
13:30:52 25 Muncy Industries how to do calibration, correct?

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13:30:55 1 A I attempted to. There were a total of  
13:31:02 2 three that I can recall.

13:31:04 3 Q Okay. And one of those --

13:31:05 4 A Two of them ended up not actually working  
13:31:08 5 there.

13:31:08 6 Q Okay. And one of those people was  
13:31:10 7 Mr. Fetter himself, correct, didn't you teach  
13:31:12 8 Mr. Fetter how you do your job?

13:31:15 9 A Sorry. I'm sorry. Sure, yes.

13:31:26 10 Q And you taught Shandi Crappell or tried to  
13:31:31 11 teach her some of the calibration techniques; is that  
13:31:34 12 correct?

13:31:34 13 A Yes, I did.

13:31:35 14 Q What other individuals besides those two  
13:31:37 15 I've just named, did you actually teach some of the  
13:31:39 16 calibration techniques?

13:31:42 17 A There was another gentlemen, William Croy.  
13:31:42 18 (Court reporter clarification.)

13:31:42 19 BY MR. STAPP:

13:31:47 20 Q What was the last name, sir?

13:31:50 21 A I'm pretty sure the last name was Croy or  
13:31:54 22 Roy. I can't spell it.

13:31:55 23 Q C-R-O-Y?

13:31:57 24 A C-R-O-Y.

13:32:00 25 Q And did Mr. Croy go on job assignments with

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13:32:05 1 you to calibrate?

13:32:07 2 A He did. There was a few, yeah.

13:32:11 3 Q And Ms. Crappell went on some jobs with  
13:32:13 4 you, too, to employers or to customer sites to  
13:32:18 5 calibrate, correct?

13:32:19 6 A I think there was one time, yes, sir.

13:32:21 7 Q When you would have Shandi Crappell or  
13:32:25 8 William Croy with you, would you supervise them while  
13:32:30 9 they were on the customer site?

13:32:32 10 A No, sir. I was not given any authority to  
13:32:39 11 supervise.

13:32:40 12 Q Did you help them perform the calibrations  
13:32:43 13 when you were there with them?

13:32:44 14 A Yeah, I would, it was a team effort for  
13:32:48 15 sure.

13:32:49 16 Q And if they were doing something wrong,  
13:32:50 17 would you tell them how to fix that so they weren't  
13:32:53 18 doing it incorrectly?

13:32:55 19 A Yeah, that's, I mean that goes with  
13:33:00 20 training someone, yes, sir, you want to make sure  
13:33:03 21 they do the job and learn it correctly.

13:33:06 22 Q Were there times with either Ms. Crappell  
13:33:08 23 or Mr. Croy where they would ask for your assistance  
13:33:10 24 with a calibration technique or something they were  
13:33:13 25 doing to perform the work?

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13:33:14 1 A Yes. Sure. There were always questions  
13:33:21 2 about doing things.

13:33:21 3 Q Okay. And when they, those questions, they  
13:33:24 4 were directed to you?

13:33:25 5 A Well, yes, sir, I was the only one there.

13:33:31 6 Q And did you then help them perform the  
13:33:34 7 task?

13:33:34 8 A Well, yes, sir.

13:33:36 9 Q Okay. So and it's correct to say that when  
13:33:39 10 these people, William Croy and Shandi Crappell would  
13:33:43 11 go on a job assignment with you, you were trying to  
13:33:45 12 make sure they were doing the work correctly; is that  
13:33:49 13 right?

13:33:49 14 A Well, yes, sir, you don't want to teach  
13:33:56 15 them to do it wrong.

13:33:57 16 Q So in essence, I mean isn't that what  
13:34:05 17 supervision is, is everything you just described:  
13:34:08 18 Answering questions, giving them directions, helping  
13:34:12 19 them do the job correctly, wouldn't you agree that's  
13:34:14 20 what supervision is?

13:34:16 21 A No, sir. I was a trainer. I was not  
13:34:18 22 supervisor. Let's be clear.

13:34:19 23 Q And, well, help me understand the  
13:34:22 24 difference in your perspective between what you did  
13:34:24 25 and what supervision is?

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13:34:27 1 A Okay. Well, for example, my brother-in-law  
13:34:29 2 works for the government, he is a trainer. He's  
13:34:33 3 clearly someone that trains people to do a certain  
13:34:35 4 job, but he's not a supervisor. He doesn't have any  
13:34:39 5 supervisory capabilities hiring people, firing  
13:34:42 6 people, do this, do that, do what I say or, you know,  
13:34:47 7 that's what a supervisor is.

13:34:50 8 But to train someone, you're just training  
13:34:52 9 someone. You're teaching them how to do a job and  
13:34:55 10 that's all I did was teach people how to do a job.

13:34:58 11 Q Okay. So, again, let's try to make sure I  
13:35:03 12 understand, it sounds to me like your definition,  
13:35:07 13 okay, and definitions are very important in the law,  
13:35:10 14 of someone who supervises means that they have to  
13:35:14 15 have the ability to hire or fire that employee; is  
13:35:18 16 that correct?

13:35:18 17 A Let's not twist that around. I'm not  
13:35:25 18 saying that. I'm just saying that I didn't have any  
13:35:29 19 delegation authorities. I was just there to make  
13:35:33 20 sure someone did the job correctly, to understand the  
13:35:37 21 process and how Muncy does things. I was not any  
13:35:41 22 type of supervisor.

13:35:42 23 Q Okay. Well, let's talk about an individual  
13:35:45 24 site where you would have gone with somebody like  
13:35:47 25 William Croy, right, so you arrive at the customer's

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13:35:51 1 location. who was the person who decides who is  
13:35:54 2 going to do what part of the job that day when you  
13:35:57 3 would arrive?

13:35:57 4 A I don't know. we just did it. we just  
13:36:05 5 tackled it and did things, I mean it wasn't --

13:36:08 6 Q Okay. well, was it you that told Mr. Croy,  
13:36:11 7 I'm going to go do this --

13:36:11 8 A I didn't delegate.

13:36:11 9 Q -- and you're going to go do that?

13:36:14 10 A No, I didn't delegate. No, I didn't do  
13:36:16 11 that.

13:36:17 12 Q How did you decide with Mr. Croy and  
13:36:18 13 Ms. Crappell who was going to do what part of the  
13:36:23 14 job?

13:36:23 15 A We just would open up the stuff and just  
13:36:26 16 start tackling. Sometimes they would say, okay, I'll  
13:36:29 17 do this or do that and you do this and do that, okay,  
13:36:33 18 that's fine. You know, however you all want to do  
13:36:36 19 it, let's do it, you know.

13:36:38 20 Q Okay. well, I believe the testimony from  
13:36:46 21 Megan and/or Kimberly Bunting both was that when you  
13:36:48 22 were on the job site you were allowed to supervise  
13:36:50 23 individuals like Shandi Crappell or William Croy. Do  
13:36:53 24 you agree or disagree with that statement?

13:36:56 25 A I was training them.

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13:37:00 1 Q Okay. So were you training them the entire  
13:37:02 2 time that they worked with you?

13:37:04 3 A No, once they learned the job, we would  
13:37:09 4 just be teammates at that point.

13:37:10 5 Q Okay. So after they were trained, didn't  
13:37:13 6 you have the authority to supervise them on the job  
13:37:16 7 site at that point to tell them what they could do  
13:37:18 8 and you would do something different, correct?

13:37:20 9 A Oh, absolutely not. I did not have the  
13:37:25 10 authority to say you do this or I'll do that or  
13:37:29 11 whatever. We were just equals at that point. I was  
13:37:33 12 not a team leader or a -- you know, once they were  
13:37:39 13 calibration technicians, they were just a technician  
13:37:42 14 like me.

13:37:44 15 Q Okay. Just so I understand your testimony,  
13:37:46 16 after you trained either Mr. Croy or Ms. Crappell,  
13:37:51 17 it's your testimony today that you never went to a  
13:37:54 18 job site for Muncy Industries and told either one of  
13:37:56 19 them what they should do at the job site that day,  
13:37:59 20 correct?

13:37:59 21 A That's correct. I mean, there was possible  
13:38:11 22 -- never mind. I'm going to be quiet.

13:38:13 23 Q Let me go into, I'm going to try and do  
13:38:16 24 this if I can and share the screen. I just want to  
13:38:19 25 go over the salary stuff. Before I do that, let me

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13:38:22 1 just cover this issue quickly and then we'll move  
13:38:25 2 back to salary. So I'm going to try to share my  
13:38:28 3 screen here with you guys. okay.

13:38:40 4 So let me go to the top here. So this is  
13:38:47 5 on Page 131 of the Bate Stamped documents. This is  
13:38:54 6 entitled an Employee Warning Report. Do you  
13:38:56 7 recognize this document, sir?

13:38:58 8 A What's this have to do with salary?

13:39:02 9 MS. KRAMER: Greg, I think this is  
13:39:04 10 e-mail --

13:39:05 11 A This is bullshit.

13:39:06 12 MS. KRAMER: -- whether Mr. Szabo was paid  
13:39:10 13 correctly or classified correctly.

13:39:11 14 A Every time, in the other case you did this.

13:39:16 15 MS. KRAMER: Ric.

13:39:16 16 THE WITNESS: I'm sorry.

13:39:19 17 A This has nothing to do with that. He's  
13:39:19 18 going to make me out to be a bad guy, man.

13:39:19 19 BY MR. STAPP:

13:39:23 20 Q This is directly related to your employment  
13:39:25 21 with Muncy Industries and you're making a claim for  
13:39:27 22 wages as a result of your employment, so I just want  
13:39:29 23 to verify that this is your signature on this  
13:39:32 24 document that I'm trying to confirm here. So I just  
13:39:35 25 want to ask you the simple question --

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13:39:37 1 A There are plenty of documents with my  
13:39:37 2 signature on it that you didn't have to pull this one  
13:39:39 3 up in front of people. I apologize, but that's --  
13:39:46 4 plenty of documents, Greg.

13:39:48 5 Q Okay. My --

13:39:49 6 MS. KRAMER: I just want to object.

13:39:51 7 BY MR. STAPP:

13:39:51 8 Q My question is, Mr. Szabo, is this your  
13:39:54 9 signature here on this document?

13:39:55 10 A Yes, sir.

13:40:01 11 MR. STAPP: Did we lose him?

13:40:03 12 MS. KRAMER: Greg, is he still there?

13:40:06 13 MR. STAPP: I don't even see him on the  
13:40:07 14 screen. Let me go out of Share screen. Let me go  
13:40:10 15 back to the salary stuff because it's all the way up  
13:40:12 16 at the top so whatever happens here. I don't see him  
13:40:19 17 on here. I'm going to try to go to some other  
13:40:23 18 documents.

13:40:24 19 MS. KRAMER: I'm asking my assistant to  
13:40:26 20 help.

13:40:27 21 MR. STAPP: okay. I'll scroll to the top  
13:40:29 22 of this one so we can get back to the salary stuff.

13:40:29 23 (1-page Employment Warning Report marked as  
13:41:12 24 Exhibit 1.)

13:41:12 25 MS. KRAMER: Greg, I'm going to need to

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13:41:15 1 give him a call. Can we just go -- is this off the  
13:41:17 2 record?

13:41:17 3 (Discussion held off the record.)

13:41:18 4 MR. STAPP: All I'm doing is giving her  
13:41:21 5 that document so he has that.

13:41:23 6 MS. KRAMER: Okay. Thanks.

13:45:13 7 He said he was coming back. There he is.

13:45:30 8 (Recess.)

13:45:30 9 BY MR. STAPP:

13:45:33 10 Q Mr. Szabo, can you hear me?

13:45:34 11 A Yes.

13:45:35 12 Q Okay. I'm showing you now some documents  
13:45:42 13 that were in the discovery that was produced and this  
13:45:47 14 is just what appears to be some type of record that  
13:45:51 15 was being kept by Muncy Machine and Tool. I just  
13:45:55 16 want to understand from your perspective, have you  
13:45:57 17 seen this before when you were working there?

13:45:59 18 A No, sir.

13:46:02 19 Q Okay. Do you know, were you keeping this  
13:46:07 20 or is this -- did you have to clock in and clock out?

13:46:10 21 A We did have to clock in on a time clock and  
13:46:16 22 clock out.

13:46:17 23 Q When you were at the facility, correct?

13:46:19 24 A When we were at the facility, correct.

13:46:22 25 Q So, and again if you can't answer this

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13:46:25 1 question, sir, that's fine. I'm really just trying  
13:46:27 2 to make sure I understand from both sides, your side  
13:46:30 3 and my client's side. Are these what appear to you  
13:46:34 4 to be days that you would have been working at  
13:46:37 5 Muncy Industries' location in Louisiana, where you're  
13:46:41 6 clocking in and clocking out?

13:46:43 7 A It looks correct. I mean it looks, it  
13:46:48 8 appears to be that, yes. I apologize.

13:46:50 9 Q So the record can reflect, I'm referring to  
13:46:54 10 what's Bate stamped Page 17 and 18 and goes on for  
13:46:58 11 some time what appear to be clock records, so I just  
13:47:02 12 want to make sure I know what these are. Despite  
13:47:05 13 your clocking and clocking out, you were paid a  
13:47:08 14 salary with a bonus structure, correct?

13:47:10 15 A That's correct.

13:47:14 16 Q And, for instance, I have an e-mail where  
13:47:19 17 you were paid a \$200 bonus on August 23rd, 2018, and  
13:47:24 18 I'm not going to mark this as an exhibit, I'll see if  
13:47:29 19 I can just show you that so you see what I'm talking  
13:47:32 20 about. And then if you just tell me how that was  
13:47:36 21 paid, what your understanding of how that was paid  
13:47:39 22 was (scrolling). Okay.

13:47:42 23 A Are you ready for me to answer that or are  
13:47:48 24 you --

13:47:48 25 Q Yeah, let me just get to that, I'm sorry, I

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13:47:50 1 thought there was a faster way to scroll on this I  
13:47:52 2 would. I think I put this wrong. Let me show you  
13:47:54 3 this one first because this is older.

13:47:55 4 Here is one from Mr. Fetter to someone at  
13:47:58 5 Muncy Industries about a \$200 bonus in August of  
13:48:02 6 2018. Do you recall getting a bonus back in  
13:48:05 7 August of 2018?

13:48:06 8 A I would say that's accurate, yes, sir.

13:48:09 9 Q And what was the bonus for?

13:48:11 10 A That I can't remember.

13:48:15 11 Q Okay.

13:48:16 12 A I wish I could.

13:48:18 13 Q And here's another one, right above, on  
13:48:20 14 January 31st of 2019, where it looked like you were  
13:48:24 15 given a bonus of \$400. Do you recall that bonus?

13:48:27 16 A I'll just answer you for the future ones, I  
13:48:33 17 do remember getting every bonus that he gave me. I  
13:48:36 18 do remember it.

13:48:37 19 Q Now, one of the bonus structures, at least  
13:48:39 20 from what I have seen and again I just want to  
13:48:41 21 confirm this with you, appears to be based on how  
13:48:44 22 many calibrations you did; is that correct?

13:48:48 23 A That is true.

13:48:50 24 Q Okay. And is that the only thing you got  
13:48:56 25 paid a bonus for was how many calibrations you did?

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13:48:59 1 A Well, let's clarify the statement. I would  
13:49:06 2 get a raise, as you show here, a raise, not a bonus,  
13:49:11 3 performing calibrations. The bonuses were just for,  
13:49:15 4 I guess, for doing a good job or added to my customer  
13:49:21 5 satisfaction, things like that.

13:49:23 6 Q Okay.

13:49:23 7 A So I just want to clarify, you're using  
13:49:25 8 this bonus versus raises.

13:49:27 9 Q Okay. All right. Well, I appreciate that.  
13:49:29 10 That's the whole purpose of my question. So here's  
13:49:32 11 an e-mail on the same date as the earlier one where  
13:49:35 12 you were given a bonus, where it also says you're  
13:49:37 13 getting a raise of \$2,000 on August 18th of 2018.  
13:49:42 14 Did you get a raise at that time?

13:49:43 15 A Yes, sir, I did.

13:49:46 16 Q Okay. And looks like there's even one --  
13:49:50 17 and I apologize of getting it out of order -- on  
13:49:53 18 July of 2018 it looks like you got one for another  
13:49:59 19 \$2,000. Let me see if I can get to that page  
13:50:04 20 (scrolling). See, here's one for July 2018, one  
13:50:07 21 month, approximately one month before the one we just  
13:50:10 22 looked at where you got an annual raise of \$2,000 as  
13:50:13 23 well; is that correct?

13:50:14 24 A Yeah, I can't remember and I'll just -- I  
13:50:23 25 can't remember. I don't think I got two raises

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13:50:26 1 within a month of each other. I think maybe what  
13:50:29 2 happened was he sent the notification and I let him  
13:50:34 3 know that I never got it and I think that he had to  
13:50:38 4 resend it because somehow it got missed in the loop.  
13:50:41 5 That's my memory, sir.

13:50:43 6 Q Okay. So I think you and I are saying  
13:50:47 7 together that you got a \$2000 raise in August of '18,  
13:50:51 8 but you did get a bonus as well around that time of  
13:50:54 9 \$200; is that correct?

13:50:56 10 A That is, yes, sir.

13:50:58 11 Q Okay. Now, let me show you this page,  
13:51:01 12 because this seems to lay out some -- something  
13:51:04 13 between you and Mr. Fetter about your pay. So I'm  
13:51:10 14 showing you what's been marked Bates document 79, and  
13:51:13 15 you know, this one I think I will mark as an exhibit,  
13:51:17 16 this would be Exhibit Number 2 to the deposition and  
13:51:22 17 I'll get you a clean copy. But do you recognize this  
13:51:27 18 document, Mr. Szabo?

13:51:27 19 (1-Page Undated Typewritten Offer Letter  
13:51:28 20 marked as Exhibit 2.)

13:51:28 21 A I think that was on my offer letter when I  
13:51:34 22 got employed.

13:51:35 23 BY MR. STAPP:

13:51:35 24 Q So this is the -- this is giving to you  
13:51:38 25 when you were hired on January of 2018?

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13:51:40 1 A That's correct.

13:51:41 2 Q And it looks like you're going to receive a

13:51:46 3 salary increase of \$2,000 for "every 30 E4

13:51:52 4 calibrations you successfully perform;" is that

13:51:56 5 correct?

13:51:56 6 A That is correct.

13:51:58 7 Q So does that mean that when you got the

13:52:02 8 salary increase by July of 2018, that you had

13:52:05 9 completed 30 calibrations by that point?

13:52:08 10 A Yes, that's true.

13:52:10 11 Q This also seems to indicate that even after

13:52:16 12 your salary is over \$50,000, they are going to

13:52:20 13 provide you a bonus for \$500 for every 20 E4

13:52:24 14 calibrations you perform; am I reading that

13:52:26 15 correctly?

13:52:27 16 A That is correct.

13:52:28 17 Q Did you ever take advantage of that when

13:52:30 18 you got to a point where your salary was at at

13:52:33 19 \$50,000 or over?

13:52:35 20 A No, sir.

13:52:35 21 Q Okay.

13:52:37 22 A I didn't quite make it on that.

13:52:40 23 Q And that's going to bring me to this next

13:52:44 24 one we have, which is it looks like by April 1st of

13:52:49 25 2019, and starting effective May 1st of 2019, your

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13:52:55 1 salary was going to be a total of \$45,000; is that  
13:52:58 2 correct?

13:52:58 3 A Sure.

13:53:03 4 Q Is that --

13:53:04 5 A I can't -- I can't even remember that time  
13:53:09 6 frame what I was making, but I'm just going to have  
13:53:12 7 to assume that this is correct. I don't know if  
13:53:14 8 that's the right thing.

13:53:18 9 Q So you don't have any reason to disagree  
13:53:20 10 with the fact you were getting \$45,000?

13:53:23 11 A I don't disagree with it, that's correct.  
13:53:26 12 I don't disagree with it.

13:53:27 13 Q Just so, and I apologize, I did it at least  
13:53:29 14 once myself, but just wait until I finish my question  
13:53:32 15 to answer. That's one of the rules we didn't go over  
13:53:35 16 today, but just so the court reporter can get down my  
13:53:37 17 question and your answers, so we're not talking over  
13:53:39 18 each other.

13:53:45 19 Now is that, the \$45,000, not including  
13:53:49 20 bonuses mind you, is that the salary you were at when  
13:53:52 21 you left Muncy Industries?

13:53:56 22 A I do not think that is correct.

13:54:02 23 Q Okay. You had --

13:54:03 24 A That is not correct.

13:54:05 25 Q You had another increase. Okay. What was

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13:54:05 1 your salary?

13:54:06 2 A Close to 50, like I think I was right at  
13:54:13 3 that 49 mark, 48, 49, to be honest.

13:54:17 4 Q Okay. And you got other bonuses, too,  
13:54:21 5 while you were there, other than the two I showed you  
13:54:26 6 today; is that right?

13:54:26 7 A So to be honest, I believe I got one more.  
13:54:32 8 And that was, yeah, I believe I got one more.

13:54:35 9 Q Okay. I'm going to show you --

13:54:38 10 A There was an \$800 bonus one time, I just.

13:54:43 11 Q I don't have any official documentation  
13:54:45 12 other than this handwritten note, but it looked like  
13:54:48 13 someone wrote a note on April 28 of 2019, to increase  
13:54:53 14 your salary to \$47,000. Did you get an increase to  
13:54:58 15 \$47,000, based on the calibrations in April of 2018?

13:55:02 16 A I did do that. That is actually my  
13:55:06 17 handwriting and my note that I sent to Jason.

13:55:10 18 Q Okay. And did they honor it?

13:55:13 19 THE WITNESS: There is something on my  
13:55:14 20 screen. I apologize, something is going on. Give me  
13:55:17 21 just a second. Some background program is  
13:55:21 22 interrupting. All right. Go ahead.

13:55:25 23 BY MR. STAPP:

13:55:25 24 Q And is it your recollection that this  
13:55:29 25 request by you was honored to increase it to the next

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13:55:32 1 \$2,000 level?

13:55:34 2 A It was honored, yes, sir.

13:55:38 3 Q So if I understand the testimony so far at  
13:55:44 4 least it looks like that Muncy Industries honored  
13:55:47 5 that deal that we just showed you that has been  
13:55:51 6 marked Exhibit Number 2 regarding your salary and  
13:55:53 7 your pay rate with them; is that correct?

13:55:55 8 A That is correct.

13:55:58 9 Q And as you and I discussed before, you had  
13:56:07 10 requested that to help you out, that Muncy provide a  
13:56:11 11 vehicle which really in essence was then purchasing  
13:56:14 12 the vehicle that you already were driving; is that  
13:56:16 13 right?

13:56:16 14 A They did purchase my car, correct.

13:56:21 15 Q So I'm going to show you this, do you  
13:56:25 16 recognize this document, the Company Vehicle  
13:56:30 17 Agreement?

13:56:30 18 A I'm pretty sure that it's familiar, yes.  
13:56:37 19 Yeah, I think we had to sign it.

13:56:41 20 Q And this is a 2016 Toyota Scion, S-C-I-O-N;  
13:56:44 21 is that correct?

13:56:46 22 A That is correct.

13:56:46 23 Q And this is your signature here; is that  
13:56:49 24 right?

13:56:49 25 A I can't see it. Oh, there it is.

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13:56:55 1 Q Right here, is that your signature?

13:56:57 2 A That is correct, yeah.

13:56:58 3 Q So just so, so for purposes of

13:57:00 4 completeness today, I'll mark that Deposition

13:57:00 5 Exhibit 3.

13:57:00 6 (2-Page Company Vehicle Agreement marked as

13:57:10 7 Exhibit 3.)

13:57:10 8 BY MR. STAPP:

13:57:11 9 Q Okay. In addition to the car, there was a

13:57:14 10 reimbursement for some moving expenses, too; is that

13:57:17 11 right?

13:57:17 12 A Yes, they provided partial moving cost when

13:57:25 13 I moved to join the company.

13:57:28 14 Q And I'm showing you a document that they

13:57:33 15 titled, Muncy Industries did, Moving Expense, re

13:57:39 16 hyphen payment promissory note. Do you recognize

13:57:40 17 this document?

13:57:40 18 A Yes, I do. I do remember that.

13:57:43 19 Q Okay. So what, help me understand what

13:57:47 20 this is. Were they just offering to loan you the

13:57:50 21 company or were they giving you the \$1500?

13:57:52 22 A It was a loan to be paid back by time  
served, if that makes sense.

13:58:01 24 Q Okay.

13:58:01 25 A Meaning that if I stayed with them for two

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13:58:03 1 years, that I no longer had to pay that money back.

13:58:07 2 Q Okay. And did you ever have to pay back  
13:58:09 3 the moving expenses that they gave to you?

13:58:11 4 A No, I did not have to pay them back. That  
13:58:20 5 was clean.

13:58:20 6 Q Okay.

13:58:20 7 (Court reporter clarification.)

13:58:20 8 BY MR. STAPP:

13:58:21 9 Q You said "clean"; is that right?

13:58:23 10 A Yeah, I guess, the slate was clean, wiped  
13:58:26 11 clean. I apologize.

13:58:27 12 Q So now I'm just going to show you, and this  
13:58:30 13 one I think I'll mark these two because they are  
13:58:32 14 actual, what appear to be payments related to the  
13:58:36 15 moving. It looks like there was a U-Haul payment of  
13:58:42 16 it looks to me to be 892.20, that was paid to U-Haul.  
13:58:49 17 Does that sound about right for your moving expense  
13:58:52 18 with U-Haul?

13:58:53 19 A Yes, that's about right, yeah.

13:58:55 20 Q And then --

13:58:56 21 A That's actually my handwriting. Sorry.

13:58:59 22 Q Okay, okay. So this was a form you  
13:59:02 23 submitted to Muncy Industries for payment?

13:59:03 24 A That's what I had to do, yes.

13:59:05 25 Q Okay. And this looks like maybe a receipt

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13:59:07 1 from your U-Haul order reservation; is that what --  
13:59:12 2 is that what this is?

13:59:12 3 A Yes, sir.

13:59:14 4 Q And do you recognize this is a true and  
13:59:17 5 authentic copy of your reservation receipt for  
13:59:21 6 confirmation?

13:59:21 7 A Yes, it is.

13:59:22 8 Q Okay. So, what, you were moving from  
13:59:28 9 Savannah, Georgia, I guess, to Lafayette, Louisiana;  
13:59:31 10 is that right?

13:59:31 11 A That's correct.

13:59:32 12 Q Okay. So we'll just mark that 4 so we have  
13:59:36 13 it.

13:59:36 14 (Two Pages of U-Haul Receipts marked  
13:59:37 15 Exhibit 4.)

13:59:37 16 BY MR. STAPP:

13:59:40 17 Q In addition to the car that they bought for  
13:59:44 18 you and the moving expenses they paid, you were also,  
13:59:48 19 because of the traveling, you were given a credit  
13:59:50 20 card to use as well; is that right?

13:59:51 21 A Yes, that's correct.

13:59:54 22 Q And you did use that credit card for travel  
13:59:59 23 expenses; is that right?

14:00:01 24 A Yes, I did.

14:00:03 25 Q Help me understand from your perspective

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14:00:06 1 what kinds of things were you allowed to purchase  
14:00:08 2 with the company card?

14:00:10 3 A Food, hotel purchases, an occasional  
14:00:18 4 airline ticket if I needed to, anything -- anything  
14:00:27 5 work related. So I had to put tires on the car, I  
14:00:31 6 would use it for that. It was specifically work  
14:00:33 7 related.

14:00:33 8 Q Okay. So they, so Muncy was paying, when  
14:00:38 9 you were on the road, they were paying for your food  
14:00:40 10 and hotel, correct?

14:00:41 11 A That is correct.

14:00:43 12 Q And did you have to reimburse them for  
14:00:53 13 those items or the company paid for them completely?

14:00:55 14 A No, I didn't have to pay them.

14:01:00 15 Q Anything else that you can recall that you  
14:01:08 16 were given or that Muncy paid for for you, other than  
14:01:12 17 what we've discussed here today, which are so far  
14:01:15 18 salary with bonuses, salary increases, the purchase  
14:01:21 19 of a vehicle for you to use with the company, as well  
14:01:23 20 as your moving expenses and all of your travel  
14:01:26 21 expenses. Is there anything else that Muncy paid for  
14:01:28 22 you besides those items?

14:01:29 23 A Yes.

14:01:35 24 Q Okay. What else did they pay?

14:01:36 25 A I don't know if it applies to this

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14:01:40 1 category, but I had a company paid cell phone as  
14:01:43 2 well.

14:01:43 3 Q Okay. Were you allowed to use that  
14:01:47 4 personally or you didn't have to pay for a cell phone  
14:01:50 5 or no?

14:01:51 6 A I was.

14:01:53 7 Q And did you use it for your personal cell  
14:01:57 8 phone as well or did you have a separate cell phone?

14:02:00 9 A I had a separate.

14:02:02 10 Q But you could have saved the expense of a  
14:02:05 11 separate cell phone if you wanted to by just using  
14:02:07 12 theirs for personal use as well?

14:02:09 13 A There were -- there were times, yes, that I  
14:02:14 14 actually did use theirs, yes, to save the expense.

14:02:18 15 Q So there were some months where you didn't  
14:02:20 16 have another cell phone, you would just use  
14:02:22 17 Muncy Industries'?

14:02:23 18 A Yes, sir.

14:02:24 19 Q Okay. So a couple more documents that I  
14:02:47 20 want to just cover since I am trying to figure out  
14:02:49 21 what these are too and then we'll go back to other  
14:02:52 22 questions. I think this may be related to the moving  
14:02:55 23 expenses, but I'm not sure, so I'm really just  
14:02:57 24 looking for your eyes only to see what these are.

14:03:02 25 This is a document that's a Bates 117 and

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14:03:07 1 it looks like it's moving expenses. Do you recognize  
14:03:10 2 the handwriting and/or what this document is?

14:03:13 3 A Actually, yes. This is the -- this is  
14:03:22 4 another submitted document from me to Jason about  
14:03:26 5 getting paid for the moving expenses.

14:03:29 6 Q Okay. So did you get paid this 990.97 by  
14:03:33 7 Muncy Industries as well?

14:03:37 8 A I'm pretty sure I did. I think they may  
14:03:40 9 have given me a different amount, but I did get paid  
14:03:43 10 something for that.

14:03:44 11 Q Do you know whether you got paid all of  
14:03:47 12 this or just some of it?

14:03:48 13 A I'm pretty sure they gave me all of it.  
14:03:51 14 They may have. I don't know. I can't remember.  
14:03:56 15 It's so long ago. But they did pay me, yes.

14:03:59 16 Q Okay. I'm going to mark that one as  
14:04:05 17 Exhibit 5, just so we don't lose track of these.

14:04:07 18 (1-Page Expense Statement marked  
14:04:08 19 Exhibit 5.)

14:04:08 20 BY MR. STAPP:

14:04:09 21 Q Here is another one, next one is Bates  
14:04:12 22 stamped 118. It appears to be some kind of a receipt  
14:04:16 23 and it is, I can't read it, it looks like 425, maybe,  
14:04:21 24 and some change. Do you recognize this document? I  
14:04:24 25 apologize for it being turned. I would turn it if I

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14:04:28 1 could.

14:04:33 2 A Yeah, I don't. I'm not sure what it is  
14:04:35 3 for.

14:04:37 4 Q It's saying Apartment 1521. Do you know  
14:04:39 5 what Apartment 1521 is?

14:04:41 6 A Oh. (Reviewing.)

14:04:48 7 Q And it says assistant manager.

14:04:53 8 A Wait, that's a receipt from my apartment to  
14:04:57 9 me for -- for it looks like a prorated rent, yeah,  
14:05:03 10 prorated rent for the first month when I moved in.  
14:05:06 11 I'm pretty sure that's what that is, but I don't know  
14:05:10 12 why Jason would have that in his possession.

14:05:13 13 Q Well, you guessed my question. So do you  
14:05:16 14 know why this is in discovery? Did Muncy Industries  
14:05:19 15 pay this amount for you possibly or no?

14:05:22 16 A I don't know why he has that. It could be  
14:05:28 17 related as part of the payment. I just can't  
14:05:31 18 remember.

14:05:33 19 Q Okay. Here is another one at Bates  
14:05:38 20 stamp 120, do you know what this document is, the  
14:05:52 21 Emberwood Apartments?

14:05:52 22 A (Reviewing.) No, it looks like all my --  
14:05:57 23 that looks like the move-in expenses --

14:05:59 24 Q Okay.

14:05:59 25 A -- that I needed to provide payment for

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14:06:02 1 before I could move in.

14:06:03 2 Q Okay. It looks like this is your signature  
14:06:05 3 on the document, here is the number again 425.97, is  
14:06:10 4 it possible that 425.97 was for you to pay to the  
14:06:13 5 apartment to move into the area?

14:06:18 6 A It sounds like it, yes. I would agree with  
14:06:21 7 that.

14:06:22 8 Q So did you request reimbursement from  
14:06:25 9 Muncy Industries for that 425.97?

14:06:34 10 A No. This, I believe, is all part of the  
14:06:36 11 moving expenses. That \$1500 loan that we reviewed a  
14:06:42 12 moment ago, this was all inclusive with that.

14:06:45 13 Q So what I'm going to do is mark the receipt  
14:06:48 14 form and this "Emberwood Welcome Home" together,  
14:06:52 15 that's Bates stamp 118 and 120 as Exhibit Number 6,  
14:06:55 16 just so we have a little bit better explanation of  
14:06:58 17 what that is. So that's part of the moving expenses  
14:07:01 18 they paid you; is that correct?

14:07:01 19 (Two Pages of Receipts marked as  
14:07:03 20 Exhibit 6.)

14:07:03 21 A Yes.

14:07:07 22 BY MR. STAPP:

14:07:07 23 Q And Mr. -- so let me shift gears a little  
14:07:21 24 bit. When you worked for Muncy Industries, you  
14:07:25 25 actively tried to obtain new customers for them; is

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14:07:28 1 that right?

14:07:28 2 A Sorry, repeat the question.

14:07:36 3 Q When you worked for Muncy Industries, you  
14:07:38 4 actively tried to recruit new customers for them; is  
14:07:42 5 that right?

14:07:42 6 A I would say yes, yes.

14:07:49 7 Q In fact, you had suggested at one point  
14:07:52 8 that they consider a -- I'm going to try and pull  
14:07:57 9 this document up too, if I can, so let me do this,  
14:07:59 10 I'll stop sharing the screen for a second and then  
14:08:04 11 I'm going to go over here and pull this up.

14:08:09 12 At one point you had, it looks like,  
14:08:11 13 suggested a Mailchimp campaign be tried by Muncy  
14:08:18 14 Industries. Do you recall talking to Mr. Fetter  
14:08:21 15 about that idea?

14:08:25 16 A I do remember something about Mailchimp,  
14:08:27 17 yes, sir.

14:08:28 18 Q Let me go back to, so I'm going to show you  
14:08:35 19 what is Bate Stamped 259 through 261 or 62, this  
14:08:41 20 appears to be an e-mail from you to Mr. Fetter on  
14:08:44 21 August 15th of 2019. Do you recognize this e-mail?

14:08:52 22 A Sure.

14:08:55 23 Q And was that your e-mail address when you  
14:08:57 24 worked there, ric@muncyindustries.com?

14:08:59 25 A Yes.

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14:09:03 1 Q It looks like you are sending him basically  
14:09:06 2 what is an advertisement for how to do a Mailchimp  
14:09:10 3 campaign; is that a fair statement?

14:09:12 4 A Yes, I believe, yes.

14:09:17 5 Q And am I correct, Mailchimp is a way to  
14:09:21 6 send out solicitations to potential customers to get  
14:09:26 7 their business; is that what you were giving it to  
14:09:29 8 him for?

14:09:30 9 A He wanted me to, if I remember correctly,  
14:09:36 10 it wasn't specifically for that, but it was along  
14:09:39 11 those lines. I think he wanted us to make a campaign  
14:09:42 12 page to put into a magazine is what it was. And it  
14:09:45 13 was a magazine that, yes, Muncy customers had  
14:09:48 14 subscribed to.

14:09:50 15 Q Okay. And was that your idea or  
14:09:52 16 Mr. Fetter's idea to try and solicit customers?

14:09:56 17 A Oh, it was clearly his idea. I'd just do  
14:10:00 18 what he said.

14:10:01 19 Q Okay. And then there was another exchange  
14:10:09 20 that looked like it occurred between you and  
14:10:12 21 Mr. Fetter regarding some individuals you were  
14:10:16 22 reaching out to try to obtain their business. So let  
14:10:20 23 me see if I can get that up here. Okay. So this is  
14:10:26 24 I hope this is the correct one. Hang on a second.

14:10:31 25 It looked like there was part of an e-mail

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14:10:34 1 that was sent where you wrote to Mr. Fetter -- hang  
14:10:40 2 on a second -- this is on Page 300 of the Bate stamp,  
14:10:44 3 about potential customers.

14:10:49 4                   Okay. So here is what, back in March of  
14:10:52 5 2018, it looks like you are writing to Mr. Fetter  
14:10:56 6 about local customers in here and you state at the  
14:11:02 7 end of it, if I'm reading this correctly, they are  
14:11:05 8 both extremely interested in our calibration services  
14:11:09 9 and I have verbally requested quotes. Do you recall  
14:11:11 10 this e-mail you sent to Mr. Fetter about two  
14:11:16 11 customers which appear to be Bishop Lifting and Core  
14:11:21 12 Lifting, do you recall those individuals?

14:11:22 13           A    I recall the customers, because I -- yeah,  
14:11:32 14 I recall the customers, yes, sir.

14:11:33 15           Q    And were you trying to get their business  
14:11:36 16 to come into Muncy Industries at that point?

14:11:44 17           A    They may have already been. I think I  
14:11:49 18 remember calibrating for Core Lifting already. I  
14:11:55 19 think they were already a customer, but --

14:11:55 20           Q    Well, it looks like they're a customer, but  
14:11:57 21 they're not calibration services customers; is that a  
14:12:01 22 fair statement at this point?

14:12:01 23           A    No, I believe I actually calibrated their  
14:12:07 24 test bed.

14:12:11 25           Q    Well, if you look at this e-mail, it says

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14:12:14 1 quote They are both extremely interested in our  
14:12:17 2 calibration services and have verbally requested  
14:12:22 3 quotes, end quote. Am I reading that statement  
14:12:24 4 correctly?

14:12:24 5 A Sure.

14:12:25 6 Q And did you -- did you start calibrating  
14:12:28 7 for these people after you gave them the quotes, that  
14:12:33 8 is Core Lifting and Bishop Lifting?

14:12:35 9 A After Muncy gave them quotes. I didn't  
14:12:41 10 myself. But, yeah, it's possible that's the time  
14:12:44 11 frame that I calibrated after this.

14:12:48 12 Q okay. And it looks like did you -- did you  
14:12:51 13 solicit them while you were there with them for the  
14:12:53 14 calibration services?

14:12:54 15 A I could have, yes, sir.

14:13:01 16 Q Okay. So, I mean --

14:13:06 17 A It's so long ago, I don't remember any  
14:13:07 18 specific instances.

14:13:08 19 Q It's correct to say, Mr. Szabo, that when  
14:13:11 20 you worked for Muncy Industries you got some new  
14:13:13 21 customers for them, correct, for calibration  
14:13:17 22 services?

14:13:17 23 A Yes, that's correct.

14:13:18 24 Q And at one point did you offer to  
14:13:22 25 Jason Fetter or Muncy Industries to reach out to

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14:13:25 1 Roberts customers, your former employer?

14:13:28 2 A I'm thinking, there may have been some talk  
14:13:40 3 through me and Mr. Fetter throughout my employment  
14:13:41 4 about reaching out to Roberts customers, that's  
14:13:44 5 correct. I would say so.

14:13:46 6 Q Did you ever reach out to Roberts customers  
14:13:48 7 on behalf of Muncy Industries to try and get their  
14:13:51 8 business?

14:13:51 9 A It's possible.

14:13:56 10 Q So if I understood your question, you're  
14:13:59 11 saying that you may have done that?

14:14:02 12 A I may have.

14:14:03 13 Q By the way, when you were working at  
14:14:06 14 Roberts, were you salaried there or were you an  
14:14:09 15 hourly employee?

14:14:09 16 A I was hourly.

14:14:11 17 Q okay.

14:14:16 18 A Hourly with overtime.

14:14:18 19 Q Okay. Did you get paid any travel time  
14:14:20 20 when you worked at Roberts?

14:14:21 21 A Sometimes.

14:14:26 22 Q When you say "sometimes," when would you  
14:14:30 23 get paid and when would you not get paid?

14:14:33 24 A Usually if I had -- [Zoom unintelligible],  
14:14:43 25 Sunday [Zoom unintelligible] -- kind.

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14:14:47 1 Q Yeah, you're breaking up, so we're not  
14:14:49 2 getting your answer to that one.

14:14:50 3 A I'll have to do it.

14:14:52 4 Q Hang on a second, Mr. Szabo, you're  
14:14:54 5 breaking up, so let's go -- I want to get out of  
14:14:57 6 Share screen. Let's go back to the question. The  
14:14:59 7 question was you said sometimes for travel time you  
14:15:01 8 got paid and I asked you when did you get paid and  
14:15:04 9 when did you not get paid and when you tried to  
14:15:07 10 answer you broke up, so if you could answer that  
14:15:09 11 again.

14:15:10 12 A Oh, I just said sometimes that I would  
14:15:14 13 travel maybe on a Sunday and -- [Zoom freezes up] --  
14:15:23 14 it was maybe once still.

14:15:27 15 Q Yeah, well, you broke up again, we'll have  
14:15:29 16 to do that again.

14:15:44 17 (Answer read back by stenographer.)

14:15:45 18 A Yes, that's it. That's exactly how I said  
14:15:48 19 it.

14:15:48 20 BY MR. STAPP:

14:15:48 21 Q So you only got paid one time for travel?

14:15:51 22 A Yeah, and that may, that's just a very  
14:15:54 23 cloudy memory.

14:15:55 24 Q Okay. So Megan Delahoussaye had testified  
14:16:04 25 at her deposition that it was your choice to travel

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14:16:08 1 when you did and then that you could have traveled  
14:16:11 2 during work hours if you wanted to. Do you agree or  
14:16:13 3 disagree with her statement?

14:16:15 4 A I disagree. That's a repeat question.

14:16:26 5 (Court reporter clarification.)

14:16:28 6 BY MR. STAPP:

14:16:29 7 Q Megan had also testified that you exercised  
14:16:32 8 judgment -- or exercised discretion and sound  
14:16:36 9 judgment in your position at Muncy Industries as a  
14:16:39 10 calibration technician. Do you agree or disagree  
14:16:42 11 with that statement?

14:16:43 12 A I agree. I just don't understand. I don't  
14:16:55 13 know. Can you rephrase it somehow? I'm not sure I  
14:16:57 14 understand what the question means and I do  
14:16:59 15 apologize.

14:17:00 16 Q Well, the question is did you exercise  
14:17:03 17 discretion and sound judgment in your employment at  
14:17:05 18 Muncy Industries as a calibration technician?

14:17:08 19 A Sure.

14:17:10 20 Q Megan had also said that to do the  
14:17:17 21 calibrations you had to be certified; is that right?

14:17:19 22 A Yes.

14:17:22 23 Q And she said that, I guess, you were part  
14:17:26 24 of that, helping people get certified to do the  
14:17:29 25 calibrations; is that right?

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14:17:31 1 A Yes.

14:17:33 2 Q And was Mr. Fetter one of those people you

14:17:38 3 helped get certified?

14:17:39 4 A I'm not certain.

14:17:40 5 Q How about William Croy?

14:17:44 6 A Yes, sir.

14:17:44 7 Q Okay. So Megan had testified that in her

14:17:48 8 recollection it took about three to six months of

14:17:51 9 training to pass the exam. Can you just help me

14:17:55 10 understand what she meant when she said that; do you

14:17:57 11 know what she's talking about?

14:17:58 12 A Yeah, there's a written test that I created

14:18:05 13 as part of the program that to finally you had to do

14:18:08 14 two parts. You had to do a hands-on test and you had

14:18:11 15 to do a written exam. And yes, it -- the time that

14:18:17 16 it took to do such, it was just definitely up to the

14:18:21 17 person being trained and how well they, you know, you

14:18:26 18 how well they adapted and learned it.

14:18:29 19 Q And did it take the individuals three to

14:18:31 20 six months of training to be able to pass the exam?

14:18:34 21 A Maybe three. I don't know that I've had

14:18:42 22 anyone ever go longer than that. Ms. Crappell

14:18:46 23 actually did it in a couple weeks.

14:18:47 24 Q You, if I understand you correctly, the

14:18:49 25 certification process, you created the test and the

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14:18:52 1 hands-on exam for them to take?

14:18:55 2 A I did.

14:18:56 3 Q And how did you know how to do that, how to  
14:19:00 4 create the test and the hands-on examination?

14:19:02 5 A I didn't, actually. I just, intuition, I  
14:19:12 6 guess, you know, no one had to tell me, I just knew  
14:19:16 7 what had to be done. That's the best way I can  
14:19:20 8 answer.

14:19:20 9 Q Well, who issues the certification, you did  
14:19:22 10 or the state or the government; who does that?

14:19:25 11 A We did at Muncy, but Muncy has to be  
14:19:32 12 certified as an accredited laboratory before we can  
14:19:38 13 say, yadda, yadda is certified to do calibration. We  
14:19:44 14 have to be accredited and we have to follow ISO. So  
14:19:47 15 the company itself, Muncy, has to be sound with two  
14:19:59 16 agencies, I guess, or two -- they have to be ISO  
14:20:03 17 certified and they have to be HOLA accredited before  
14:20:07 18 me or someone could certify someone.

14:20:10 19 Q And who is the one -- I'm sorry, I didn't  
14:20:13 20 mean to interrupt you. Who is the one responsible  
14:20:14 21 for the ISO certification, who issues that  
14:20:17 22 certification?

14:20:17 23 A If you just get registered with I think  
14:20:27 24 it's with NIST, National Institute Standards in  
14:20:32 25 Testing, yeah, NIST.

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14:20:34 1 Q Okay. And is that just a private  
14:20:36 2 organization or is that part of the federal  
14:20:38 3 government; do you know?

14:20:39 4 A That's a federal, to the best of my  
14:20:42 5 knowledge. It's, yeah, I don't know the actual  
14:20:46 6 answer to that.

14:20:47 7 Q Okay. And when you were doing the training  
14:20:51 8 of Ms. Crappell and Mr. Croy to prepare them to do  
14:20:55 9 your test and exam, I assume you were supervising  
14:21:00 10 them during that training process, correct?

14:21:01 11 A Was I a supervisor during the training  
14:21:11 12 process of Shandi and William?

14:21:14 13 Q That's not my question, sir. My question  
14:21:17 14 was did you supervise Shandi Crappell and  
14:21:20 15 William Croy when you were training them for the  
14:21:23 16 written test and the hands-on exam?

14:21:25 17 A I really don't know how to answer that.  
14:21:37 18 No. I would say no.

14:21:38 19 Q Okay. Who was supervising Ms. Crappell and  
14:21:43 20 Mr. Croy while they were learning how to do the tasks  
14:21:46 21 to take the written test and hands-on exam?

14:21:48 22 A Well, they were directly under  
14:21:51 23 Jason Fetter.

14:21:51 24 Q Okay. And was Mr. Fetter there doing the  
14:21:56 25 supervision while they were learning tasks to take

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14:21:58 1 the written test and hands-on exam?

14:22:00 2 A No, sir, he wasn't. Well, it was different  
14:22:05 3 for each employee. So may I address that?

14:22:10 4 Q Well, yeah, I need to understand how he's  
14:22:11 5 supervising when he wasn't there, so if you can  
14:22:15 6 explain that to me, that would helpful.

14:22:17 7 A Well, we had a supervisor above me that was  
14:22:20 8 there. My name is John Lisonring, he was the plant  
14:22:24 9 manager and he was our supervisor when Jason was not  
14:22:26 10 there.

14:22:27 11 Q Okay. And did Mr. Lisonring supervise  
14:22:31 12 Shandi Crappell and William Croy while they were  
14:22:33 13 learning how to take the written test and the  
14:22:36 14 hands-on exam?

14:22:36 15 A I'm pretty sure that William Croy was there  
14:22:43 16 for John, but John left us. John quit and went on to  
14:22:48 17 do other things, so I think when Shandi came he was  
14:22:51 18 not there.

14:22:52 19 Q Okay. So who was supervising Shandi?

14:22:56 20 A That was Shandi. Shandi would have been --  
14:22:56 21 (Court reporter clarification.)

14:23:05 22 A Can you please ask the question? I  
14:23:06 23 apologize.

14:23:06 24 Q Who was supervising Shandi then?

14:23:09 25 A Oh, that would have been Megan. Even

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14:23:13 1 myself was under Megan.

14:23:15 2 Q Okay. So if I understand you correctly,  
14:23:17 3 Megan Delahoussaye was the one supervising  
14:23:22 4 Shandi Crappell while she was learning how to do the  
14:23:25 5 written test and hands-on exam you created; is that  
14:23:27 6 right?

14:23:27 7 A That is absolutely true.

14:23:29 8 Q Okay. So Megan was the one teaching them  
14:23:33 9 how to do to get prepared for the hands-on exam and  
14:23:37 10 the written test; is that right?

14:23:38 11 A That is not true. That was me.

14:23:42 12 Q Okay. So if you're the one telling them  
14:23:45 13 how to do it, aren't you the one supervising them?

14:23:48 14 A Nope.

14:23:50 15 Q Okay. So just so I understand your  
14:23:52 16 answer --

14:23:53 17 A You got -- you have to understand how it  
14:23:55 18 was with Muncy. You couldn't do anything without  
14:24:00 19 Jason telling Megan and then Megan coming to tell you  
14:24:05 20 or control whatever it is you're doing. I had no,  
14:24:10 21 zero, supervisory capabilities.

14:24:12 22 Q Okay.

14:24:12 23 A Yeah, I stood there and watched her, yes, I  
14:24:15 24 stood there and made sure that she did the job  
14:24:18 25 correct. But I was not a supervisor in any shape or

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14:24:22 1 form.

14:24:22 2 Q Okay. But, sir, if you are teaching the  
14:24:26 3 employee how to do the task and you're watching them  
14:24:29 4 while they are doing it to make sure they're doing it  
14:24:32 5 correctly, isn't that the very definition of  
14:24:34 6 supervision?

14:24:36 7 A I'm not sure what the definition of  
14:24:39 8 supervision is.

14:24:40 9 Q Okay. Let's talk about it, right. So if I  
14:24:43 10 have a cookie factory tonight and I'm going teach the  
14:24:47 11 kids at home how to make chocolate chip cookies,  
14:24:52 12 right? And I said tonight you guys we're going to  
14:24:55 13 learn how to make chocolate chip cookies. If I'm  
14:24:59 14 there in the kitchen with the kids while we're  
14:25:02 15 teaching them chocolate chip cookies and I'm showing  
14:25:03 16 them how to make the dough, how to put the chocolate  
14:25:06 17 chips in the cookie and then how to get them on the  
14:25:07 18 pan and bake those cookies until they're done  
14:25:10 19 properly, would you agree in that scenario, I'm  
14:25:14 20 supervising them making chocolate chip cookies?

14:25:16 21 A You are teaching them. I don't agree.

14:25:18 22 Q Okay. So --

14:25:20 23 A You're teaching them how to do this  
14:25:22 24 properly. You're a teacher.

14:25:24 25 Q Okay. Well, let's change it, right, now

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14:25:26 1 let's --

14:25:27 2 A You're not a supervisor.

14:25:28 3 Q -- let's say a kid starts to put his hand  
14:25:30 4 in the 400 degree oven while I'm there doing the  
14:25:36 5 cookies. Do you believe that I should tell that  
14:25:39 6 child before they put their hand in the hot oven,  
14:25:41 7 don't touch the oven or not at that point? what  
14:25:43 8 would you suggest that I do?

14:25:45 9 A Well absolutely, you should. what does  
14:25:48 10 that have to do with the --

14:25:50 11 Q Well, if I'm helping somebody avoid getting  
14:25:52 12 hurt and watching them while they perform a task to  
14:25:55 13 make sure they do it correctly, isn't that what the  
14:25:58 14 definition of supervision is?

14:26:01 15 A You are teaching them right from wrong.  
14:26:05 16 Again, that's not the definition. No, I disagree.  
14:26:08 17 That's not the definition of supervisory.

14:26:11 18 Q Okay. Well, let me ask you this, if  
14:26:13 19 Shandi Crappell had started to do something as a  
14:26:17 20 calibration technician that was going put herself or  
14:26:20 21 others in danger while she was performing the task  
14:26:23 22 and you were watching her, did you tell her please  
14:26:26 23 don't do that?

14:26:30 24 A No. It never happened.

14:26:32 25 Q If it had happened, where she was putting

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14:26:34 1 herself at risk of something breaking or dropping a  
14:26:37 2 heavy weight, would you have told her, please don't  
14:26:39 3 do that?

14:26:43 4 A If that had happened.

14:26:45 5 Q Okay. You wouldn't have let her just have  
14:26:46 6 the machine break or drop a heavy weight, correct?

14:26:50 7 A Oh gosh, no.

14:26:52 8 Q Okay. And you're doing that because you're  
14:26:56 9 supervising, watching over to make sure that she does  
14:26:58 10 it correctly, right?

14:26:59 11 A I wouldn't call it supervision.

14:27:05 12 Q What would you call it?

14:27:07 13 A I'm just not going to agree with you.

14:27:09 14 Q What would you call it?

14:27:10 15 A We can stop this right now. I was not a  
14:27:11 16 supervisor. I know where this is leading.

14:27:14 17 Q Well, let's be clear, because --

14:27:15 18 A I'm not a supervisor.

14:27:16 19 Q Because if Shandi Crappell had done  
14:27:19 20 something where she was putting herself and others at  
14:27:22 21 risk and you would have stepped in to stop it, you  
14:27:25 22 would agree with me that's not part of the training  
14:27:27 23 process, right?

14:27:30 24 MS. KRAMER: Greg, I think we've already  
14:27:31 25 went over all this.

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14:27:32 1 A Anybody can step in.

14:27:34 2 MS. KRAMER: Ric, let's me talk. If

14:27:38 3 someone wants, I was going to say put yourself out

14:27:39 4 there, that's not supervising. I think we've covered

14:27:41 5 the whole supervisor risk training issue here.

14:27:45 6 BY MR. STAPP:

14:27:48 7 Q Megan Delahoussaye had said that she tried

14:27:49 8 to schedule you at Muncy in a way that you were in

14:27:54 9 the office every other week. Do you agree or

14:27:58 10 disagree with that testimony?

14:28:00 11 A I disagree. I've never even heard that.

14:28:09 12 This is the first time I've ever heard anything like

14:28:11 13 that.

14:28:11 14 Q Okay. But it looks like from the earlier

14:28:16 15 documents you reviewed that whenever the time card

14:28:18 16 was punched, that was you at Muncy Industries in

14:28:22 17 Louisiana, correct?

14:28:23 18 A That is correct.

14:28:28 19 Q And, Mr. Szabo, you agree that you quit

14:28:44 20 your employment with Muncy Industries, correct?

14:28:47 21 A That's correct.

14:28:51 22 Q And when you quit your employment with

14:28:53 23 Muncy and you turned in that laptop, you had deleted

14:28:59 24 information from that laptop, correct?

14:29:00 25 A That has nothing do with this case. I'm

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14:29:05 1 sorry I answered it in that manner.

14:29:08 2 Q When you quit Muncy Industries and you  
14:29:11 3 turned in your laptop, you had deleted information  
14:29:14 4 from the laptop before you turned it in, correct?

14:29:17 5 A (No response.)

14:29:24 6 MS. KRAMER: Ric, you got to answer.

14:29:28 7 A Okay. I turned in a laptop, whereas I  
14:29:35 8 removed my e-mails from that laptop. There was  
14:29:40 9 information removed, yes. I don't understand what  
14:29:43 10 that has to do with this case.

14:29:46 11 BY MR. STAPP:

14:29:47 12 Q And I don't want to go over the document  
14:29:50 13 again because you and I talked about it before, so  
14:29:52 14 I'm just going to show you what was previously marked  
14:29:57 15 Szabo 1 exhibit from the deposition in the state  
14:30:00 16 court action, that is the July 22nd, 2020, e-mail  
14:30:05 17 from the e-mail address rckid1973@gmail.com. So  
14:30:11 18 you've seen this before. Do you recall that e-mail  
14:30:13 19 that you sent, Mr. Szabo?

14:30:20 20 A Yes, I recall that e-mail. That's a  
14:30:23 21 different case. What does that have to do with this  
14:30:26 22 case? I think I have the right to ask that question.

14:30:29 23 Q And when you left Muncy Industries, you  
14:30:32 24 went to work for one of their competitors,  
14:30:36 25 Chant Engineering within a week or two, correct?

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14:30:38 1 MS. KRAMER: All right, Greg, I think where  
14:30:41 2 he went work after, I'm not sure that's relevant  
14:30:42 3 because we're talking about how he's classified while  
14:30:46 4 living and working in Muncy, not after another  
14:30:48 5 employer.

14:30:49 6 MR. STAPP: Okay.

14:30:49 7 BY MR. STAPP:

14:30:49 8 Q I mean, I'm just asking a simple question,  
14:30:50 9 you went to work for a competitor shortly after  
14:30:53 10 leaving Muncy Industries?

14:30:55 11 A That's a state case. Man, that's a  
14:30:57 12 different case. It has nothing to do with my  
14:30:59 13 overtime time and lost wages. Zero.

14:31:04 14 Q Sir, if I understand the e-mail in the  
14:31:08 15 other case, you sent that e-mail shortly after  
14:31:11 16 leaving Muncy Industries to Muncy Industries'  
14:31:13 17 customers, correct?

14:31:24 18 MS. KRAMER: If you want to disclose this  
14:31:26 19 on the record and let me know where you're going with  
14:31:30 20 these. Can you do that?

14:31:31 21 MR. STAPP: Yeah, I've only got one or two  
14:31:32 22 more questions.

14:31:32 23 BY MR. STAPP:

14:31:33 24 Q I'm just asking the question related after  
14:31:35 25 you left Muncy Industries, you sent the e-mail that

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14:31:36 1 was previously marked Szabo Exhibit Number 1 to Muncy  
14:31:39 2 customers, correct?

14:31:41 3 A I sent an e-mail to possibly previous Muncy  
14:31:51 4 customers. That was a different thing.

14:31:57 5 Q Okay. Just so I understand what you're  
14:32:01 6 asking for today, my question to you is after  
14:32:05 7 quitting Muncy Industries and returning a laptop with  
14:32:10 8 deleted information and working for a competitor and  
14:32:14 9 then sending e-mails to Muncy customers in which you  
14:32:17 10 advised them about concerns about their calibration  
14:32:20 11 program, do you still believe that Muncy Industries  
14:32:24 12 owes you money?

14:32:24 13 A Yes, I believe. I believe I deserve simple  
14:32:36 14 lost wages from the time I worked outside of the  
14:32:40 15 40 hours.

14:32:41 16 Q What is it you believe you are owed, sir?  
14:32:43 17 A At least 15,000 per year that I was  
14:32:52 18 employed.

14:32:53 19 Q Why do you believe you are owed an  
14:32:55 20 additional \$15,000, besides the moving expenses and  
14:33:00 21 the laptop and the cell phone and the car and the  
14:33:03 22 salaries and the bonuses?

14:33:08 23 A Because none of that stuff that you  
14:33:13 24 mention, regardless of my situation, other employees  
14:33:20 25 had company cell phones, okay, number one.

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14:33:23 1 Number two, there wasn't any favor for me.  
14:33:26 2 Number three, the pay was all policy. That's just  
14:33:35 3 company policy, the credit card and all that. There  
14:33:36 4 were others employees with company credit cards that  
14:33:39 5 traveled. You make it look like they were doing me  
14:33:41 6 favors, but that was company policy to be given a  
14:33:43 7 credit card if you traveled, to have a cell phone,  
14:33:47 8 and to be given a computer, all that. That had  
14:33:52 9 nothing to do with providing me with anything extra  
14:33:55 10 than what I was paid, other than the bonuses. The  
14:33:59 11 bonuses I was grateful for.

14:34:01 12 The car, that was an agreement. He told me  
14:34:04 13 he was going to get me a car when I got hired. There  
14:34:09 14 was another engineer and William Croy, they both got  
14:34:13 15 cars. They both got cars. They got brand-new cars.  
14:34:16 16 So don't try to make it as they did me a favor by  
14:34:20 17 buying me a car. They didn't.

14:34:22 18 Q And, sir, I mean, even after sending the  
14:34:28 19 e-mail at the request of Mr. Chant and his other  
14:34:30 20 staff members, do you still feel like Muncy  
14:34:33 21 Industries owes you money?

14:34:36 22 A Yes, I do. It's just the law, man. If I  
14:34:42 23 am miscategorized as an employee, which I feel I was,  
14:34:47 24 I was mislabeled and paid improperly. That's the  
14:34:53 25 law. That's the labor law, man. I can't recite it,

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14:34:56 1 but I should be getting what I should have been paid.

14:34:56 2 Q And all --

14:35:00 3 A That's just it.

14:35:01 4 Q And all of that you just said about being

14:35:05 5 mischaracterized or that you're owed money, you

14:35:08 6 didn't know any of that until you spoke with

14:35:09 7 Mr. Chant, correct?

14:35:10 8 A That's irrelevant, whether I do or not.

14:35:15 9 I'm grateful that I know it now. I'm grateful that

14:35:19 10 someone stepped up and told me. Otherwise, I would

14:35:22 11 have been completely taken advantage of.

14:35:24 12 Q And the person that stepped up and told you

14:35:25 13 that was Philip Chant, correct?

14:35:28 14 A That's how it initiated, yes.

14:35:30 15 Q And, sir, as you are working now at Chant,

14:35:36 16 you're doing work for former Muncy Industry

14:35:40 17 customers, correct?

14:35:40 18 A Repeat the question.

14:35:44 19 Q You're doing --

14:35:45 20 MS. KRAMER: You don't need to repeat it.

14:35:47 21 Greg, I don't think that's relevant and I don't want

14:35:50 22 any indications on any other cases that may be out

14:35:53 23 there if someone happens to be associated. So I just

14:35:56 24 don't think he needs to talk about his current work.

14:35:59 25 MR. STAPP: I think it's relevant because

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14:36:00 1 he's testified today that the only reason he even  
14:36:02 2 filed this lawsuit is because of Mr. Chant, so if  
14:36:04 3 he's doing work for former Muncy customers for  
14:36:07 4 Mr. Chant too I think that's relevant, so --

14:36:07 5 MS. KRAMER: I --

14:36:11 6 MR. STAPP: Because of his testimony.

14:36:13 7 (Court reporter clarification.)

14:36:16 8 A I'd actually like to answer that.

14:36:19 9 THE WITNESS: May I answer that, Miss Mary?

14:36:23 10 MS. KRAMER: I don't think you should. I  
14:36:26 11 don't think you need to answer that.

14:36:27 12 THE WITNESS: All right, all right.

14:36:28 13 MR. STAPP: Well, I mean we can ask the  
14:36:30 14 judge to weigh in on it, but I mean, I think he's  
14:36:33 15 already said the only reason he's filed the lawsuit  
14:36:36 16 is because of Philip Chant, so I want to know is he  
14:36:37 17 also doing work for Muncy customers while working for  
14:36:41 18 Philip Chant. I think that's relevant to the case.

14:36:43 19 MS. KRAMER: Greg, all right.

14:36:45 20 BY MR. STAPP:

14:36:46 21 Q Are you, since you been at Chant  
14:36:48 22 Engineering, are you doing work for Muncy Industries'  
14:36:50 23 customers?

14:36:51 24 A I don't know if I am or not. They're not  
14:36:58 25 Muncy Industries customers. They are Chant

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14:37:01 1 customers. We don't calibrate any Muncy. I don't --  
14:37:05 2 that question doesn't make any sense.

14:37:07 3 Q Are you familiar with the company called  
14:37:10 4 **Golf America?**

14:37:13 5 A **Golf America?**

14:37:15 6 Q **Yes.**

14:37:16 7 A **Yeah, I know who they are.**

14:37:17 8 Q **Okay. And are you aware that someone from**  
14:37:20 9 **the Chant Engineering did work at Golf America on**  
14:37:23 10 **December 20th of 2021?**

14:37:30 11 A **Yeah, I am aware of that actually.**

14:37:32 12 Q **I'll just show you a picture if I can,**  
14:37:35 13 **we'll see if I Share the screen here.**

14:37:42 14 A **Again, this, I'm sorry, this should be**  
14:37:45 15 **going into the state case. That is not relevant to**  
14:37:47 16 **this case.**

14:37:48 17 Q **Well, I asked the question about the**  
14:37:49 18 **customers. I'm just trying to get clarification.**

14:37:52 19 **This is a picture from --**

14:37:53 20 MS. KRAMER: **Greg, I think we'll need to**  
14:37:57 21 **revisit if --**

14:37:57 22 **THE WITNESS: We have to do all this?**

14:37:57 23 MS. KRAMER: **-- if we're going to just keep**  
14:37:58 24 **talking about customers for now, about the customers,**  
14:38:00 25 **the customers can't come up.**

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14:38:04 1 MR. STAPP: Well, I'm just asking -- well,  
14:38:05 2 let me ask this question and you don't have to  
14:38:07 3 comment on the picture.

14:38:07 4 BY MR. STAPP:

14:38:08 5 Q Was Golf America a customer of Muncy  
14:38:11 6 Industries when you worked for them?

14:38:15 7 A Well, I can't recall. I can't recall who  
14:38:19 8 was customers and who wasn't. We talked about this  
14:38:26 9 in the other case. Same answer then, same answer  
14:38:30 10 now: I can't recall.

14:38:37 11 Q Are you aware that Chant Engineering  
14:38:39 12 is doing work for some of the customers that  
14:38:42 13 you did work for while you were employed with  
14:38:43 14 Muncy Industries?

14:38:48 15 A Can you repeat it one more time, please?

14:38:52 16 Q Are you aware that Chant Engineering is  
14:38:55 17 doing work for customers that you did work for while  
14:38:57 18 you were employed with Muncy Industries?

14:39:03 19 A We could be. I mean maybe.

14:39:09 20 Q When you were working for Muncy Industries  
14:39:18 21 as an employee, did you have to get approval from  
14:39:21 22 Jason or Kimberly Bunting to stay longer at a  
14:39:24 23 customer's site?

14:39:25 24 A Yes.

14:39:31 25 Q Did other calibrations -- did other

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14:39:41 1 calibrations [sic] at Muncy Industries travel on  
14:39:44 2 weekends other than yourself?

14:39:46 3 A Did other calibration technicians?

14:39:54 4 Q Yeah, of Muncy Industries travel on the  
14:39:57 5 weekends?

14:39:57 6 A You broke up right there. I do apologize.

14:40:00 7 Yes.

14:40:02 8 Q And did other calibration technicians at  
14:40:06 9 Muncy's work overtime?

14:40:07 10 A They did not. Well, could I rephrase it.  
14:40:14 11 Can I answer that differently?

14:40:16 12 Q Go ahead.

14:40:17 13 A What do you mean? What do you mean, were  
14:40:20 14 they paid overtime or did they just work overtime?

14:40:22 15 Q My question was did other calibration  
14:40:25 16 technicians at Muncy work overtime?

14:40:27 17 A Yes.

14:40:29 18 Q And who were those individuals that worked  
14:40:32 19 overtime and traveled on the weekend as calibration  
14:40:34 20 technicians?

14:40:35 21 A Shandi Crappell, William Croy. I don't  
14:40:45 22 remember the last name of the guy, but he was one of  
14:40:47 23 the engineers, his name was Alex. You may refer to  
14:40:53 24 Mr. Fetter on the last name for that.

14:40:56 25 Q Okay. And do you know whether anybody

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14:41:05 1 other than Ms. Crappell has filed any type of  
14:41:09 2 lawsuit for wages, Mr. Croy or Alex, anyone of that  
14:41:14 3 nature?

14:41:14 4 A I'm not aware of anyone else.

14:41:17 5 Q Okay.

14:41:32 6 MR. STAPP: Is it -- let's take a -- and  
14:41:33 7 I'm almost done, can I take a short break? I just  
14:41:36 8 want to look through one other or two other documents  
14:41:38 9 and then if we take like five or ten minutes just to  
14:41:41 10 come back and I don't know if I'll have any other  
14:41:42 11 questions or not, but let me just look at those  
14:41:44 12 documents really quickly and then I'll come back, if  
14:41:48 13 that's okay with everybody. Just a short break.

14:41:49 14 MS. KRAMER: That is fine, Greg.

14:41:52 15 MR. STAPP: All right. We'll take a quick  
14:41:54 16 break here, thanks.

14:47:08 17 (Recess.)

14:47:08 18 MS. KRAMER: Greg, I don't know where he  
14:47:11 19 went. I thought he would be back by now, so I'll  
14:47:14 20 give him a call.

14:47:21 21 (Discussion held off record.)

14:47:21 22 BY MR. STAPP:

14:50:33 23 Q Can you hear me, Mr. Szabo?

14:50:35 24 A Yes, sir.

14:50:36 25 Q All right. We'll go back on the record.

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14:50:39 1 So I'm looking at the Complaint and some of the  
14:50:41 2 discovery we sent I just want to understand about  
14:50:44 3 what you're asking for here.

14:50:47 4 Your Complaint indicates in Paragraphs 20  
14:50:53 5 and 21, that you would work sometimes 60 to 80 hours  
14:50:57 6 a week and/or 87 hours and 45 minutes, I'm looking at  
14:51:08 7 Paragraph 22. Do you have any documentation that  
14:51:10 8 establishes that you worked over 40 hours a week for  
14:51:13 9 Muncy Industries?

14:51:14 10 A I have some documentation that I've  
14:51:21 11 provided to Ms. Kramer.

14:51:22 12 Q okay.

14:51:23 13 MR. STAPP: Because we had sent a request  
14:51:25 14 for production, I'm not sure that we ever got that.  
14:51:28 15 We asked for Request Number 2, any and all wage  
14:51:31 16 records or documentation and we got an objection and  
14:51:34 17 I don't know that I've ever gotten that. So if you  
14:51:36 18 can get me that, Mary, if you have anything from him  
14:51:39 19 at all, I would like to see it.

14:51:41 20 (Request made on record by Attorney Stapp.)

14:51:41 21 MS. KRAMER: Yeah, I think I didn't provide  
14:51:43 22 what he sent because it was something he created  
14:51:45 23 himself for me to review. But was that what you were  
14:51:50 24 talking about, Ric?

14:51:52 25 THE WITNESS: Yeah, it was something that I

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14:51:55 1 provided to you. It wasn't asked, that I know of, to  
14:51:58 2 provide to Mr. Stapp. I apologize. Maybe I  
14:52:01 3 misunderstood the question.

14:52:01 4 BY MR. STAPP:

14:52:03 5 Q Well, so what I'm asking you for is if you  
14:52:05 6 hear the question it's any and all wage records or  
14:52:08 7 documentation. Now that would include if you were  
14:52:10 8 keeping a handwritten note. Were you keeping a diary  
14:52:13 9 or note of the hours that you worked for Muncy  
14:52:16 10 Industries while you worked for them?

14:52:18 11 A There were sometimes, I do admit that I did  
14:52:23 12 keep notes, but I don't -- I couldn't produce them at  
14:52:27 13 this time.

14:52:27 14 Q So do you have those, is my question? You  
14:52:29 15 don't have them anymore?

14:52:31 16 A I do not. I'm sorry.

14:52:32 17 Q So I mean I'm not -- I don't want to get  
14:52:35 18 into an evidentiary debate if you were asked to  
14:52:38 19 create some kind of a formula for Ms. Kramer, as your  
14:52:40 20 counsel. My question to you is, sir, first, let's  
14:52:44 21 break them down. Do you have any wage records from  
14:52:46 22 Muncy Industries? Any kind of pay stubs, anything  
14:52:49 23 that you have that shows your work hours or what you  
14:52:52 24 were paid?

14:52:53 25 A I do not. At the time I worked, I guess I

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14:52:59 1 was pretty negligent about paying attention to it.  
14:53:02 2 I've never produced -- it was all online, so I never  
14:53:07 3 even got a check stub. I mean we were given online  
14:53:10 4 access to that stuff, but I never. I apologize.

14:53:13 5 Q But you don't have any of that, correct?

14:53:15 6 A I do not.

14:53:17 7 Q And then Request Number 4 talks about what  
14:53:20 8 I'm kind of asking you, which is did you keep a  
14:53:24 9 handbook, like a notepad, a memoranda, a diary of any  
14:53:28 10 kind while you worked for Muncy Industries about your  
14:53:30 11 work there?

14:53:34 12 A There was a handbook that we -- I kept a  
14:53:38 13 fair amount of time, yes.

14:53:40 14 Q And what would you make notes of in that?

14:53:44 15 A Well, I didn't make any notes. I'm sorry,  
14:53:49 16 maybe I misunderstood. I thought your question was  
14:53:51 17 did I have -- did I have any of these documents, yes,  
14:53:55 18 I had a handbook.

14:53:56 19 Q Okay. That handbook is something you  
14:53:57 20 created or you mean the one that Muncy gave you?

14:54:00 21 A Oh, no that's the Muncy handbook.

14:54:03 22 Q Do you have any handbook or note that you  
14:54:04 23 made of any kind while you worked there about your  
14:54:07 24 employment with Muncy Industries?

14:54:09 25 A Oh, no, sir.

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14:54:11 1 Q Okay. Do you have any kind of  
14:54:15 2 communications between yourself and anyone at  
14:54:18 3 Muncy Industries, whether it's Mr. Fetter,  
14:54:23 4 Ms. Bunting, Megan about your employment or the hours  
14:54:24 5 you worked or your scheduling that you have in your  
14:54:28 6 possession now, anything like that?

14:54:30 7 A I do have some e-mails between me and  
14:54:36 8 Ms. Bunting in my possession.

14:54:38 9 Q Okay. Can you give those to your counsel  
14:54:40 10 so she can provide those to me?

14:54:44 11 A I will certainly do that for her.

14:54:46 12 Q Okay.

14:54:48 13 (Request made on record by Attorney Stapp.)

14:54:48 14 BY MR. STAPP:

14:54:49 15 Q Anybody else other than Ms. Bunting or  
14:54:51 16 yourself that you had e-mails between about your work  
14:54:51 17 or your schedule?

14:54:55 18 A None that I can recall.

14:54:56 19 Q Okay.

14:54:57 20 A Sorry.

14:54:57 21 Q That's okay. Are there any other documents  
14:55:05 22 that you have in your possession other than those  
14:55:08 23 e-mails you just described to Ms. Bunting that would  
14:55:10 24 establish your claim that you are trying to make here  
14:55:12 25 that you believe you're owed wages, any documents?

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14:55:19 1 A No, sir.

14:55:27 2 Q Okay. You don't have any time cards, time

14:55:30 3 sheets, time records of any kind; is that right?

14:55:32 4 A Not at this time.

14:55:35 5 Q How about any kind of w-2s? You mentioned

14:55:39 6 you had no pay stubs, do you have any of those tax

14:55:42 7 documentations?

14:55:42 8 A I could find them. I was pretty good about

14:55:46 9 keeping my tax stuff, yes.

14:55:48 10 Q Yeah, if you could get me the tax stuff for

14:55:50 11 the years that you worked Muncy Industries and get

14:55:52 12 those to your counsel that would be very good.

14:55:54 13 (Request made on record by Attorney Stapp.)

14:55:57 14 A Okay.

14:55:59 15 BY MR. STAPP:

14:56:18 16 Q So just so I understand, I mean when you

14:56:21 17 have in Paragraph 22 of your Complaint, and I'll read

14:56:24 18 it for you because I know you may not have it in

14:56:27 19 front of you. It says, Plaintiff Ric Szabo worked

14:56:31 20 approximately 87 hours and 45 minutes, but was not

14:56:35 21 compensated for all hours worked for over 40 hours or

14:56:40 22 at 1.5 times his regular rate of pay for all hours

14:56:42 23 worked over 40 hours, period closed quote.

14:56:45 24 So my question to you, sir, is where did

14:56:47 25 you come up with the "87 hours and 45 minutes?"

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14:56:53 1 A Okay. I think I remember this, this was --  
14:56:57 2 that Complaint and all was done by the previous  
14:57:04 3 attorney. Her name was Pria and I gave her  
14:57:09 4 documentations -- well, me and Shandi both gave her  
14:57:12 5 documentation and trip information on a trip we took.  
14:57:18 6 That was from a Sunday to a Saturday or a Sunday to a  
14:57:22 7 Sunday, back in 2020, I can't remember the dates,  
14:57:31 8 where we gave her the documentation and Ms. Pria  
14:57:37 9 actually came up with the amount of hours based on  
14:57:41 10 the documentation and the time that we traveled and  
14:57:44 11 that is a true statement.

14:57:46 12 Q Okay. And that was your former attorney,  
14:57:49 13 correct?

14:57:49 14 A That was the former attorney.

14:57:51 15 Q Okay, yeah.

14:57:52 16 A Before Ms. Kramer.

14:57:53 17 Q Okay. So this amount in Paragraph 22 came  
14:58:00 18 from one trip you took. Do you remember where that  
14:58:02 19 trip was to?

14:58:03 20 A Oh, I cannot recall. I went away up north  
14:58:13 21 somewhere. We drove. We drove in a pickup truck, I  
14:58:18 22 do remember that. It was me, Mr. Fetter,  
14:58:20 23 Shandi Crappell, and William Croy, all four of us  
14:58:24 24 together. Gosh, I don't remember where we went. It  
14:58:29 25 was up north somewhere, Michigan or somewhere. We

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14:58:34 1 split ways with him.

14:58:37 2 Q That does say at the beginning part of that  
14:58:39 3 paragraph that was an example of a particular week.  
14:58:42 4 But you're not saying today, sir, that you worked  
14:58:45 5 87 hours and 45 minutes every week when you worked at  
14:58:47 6 Muncy, correct?

14:58:48 7 A I'm not saying that.

14:58:51 8 Q Okay.

14:58:51 9 A Not every week.

14:58:52 10 Q Okay. And, I mean, how many hours you said  
14:58:55 11 earlier today, \$15,000 a year that you think you are  
14:58:59 12 owed. Now you're basing that on what? I mean, what  
14:59:02 13 records do you have that you're saying I worked this  
14:59:04 14 many extra hours?

14:59:05 15 A So I went back and I created my own chart  
14:59:09 16 and I used what's called Google Timeline. I don't  
14:59:14 17 know if you're familiar with it. But Google Maps  
14:59:17 18 keeps a timeline if you choose to do so. I do. And  
14:59:21 19 I could back go back to eight years if I wanted and  
14:59:25 20 see exactly where I was, what date, what time, what  
14:59:28 21 airport I went to, how long it took me to get there,  
14:59:32 22 and I could do that for every single one of these  
14:59:36 23 trips if I have to.

14:59:38 24 If I have to, then believe me, it's going  
14:59:42 25 to come out to more than \$15,000. But I did one

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14:59:46 1 month, I did one month using my Google Timeline for  
14:59:49 2 trips with Jason, and based on that one month, I  
14:59:54 3 calculated if I did that same routine for 12 months  
14:59:59 4 of that year, it would have came up to about 19,000.  
15:00:04 5 I'm only asking for 15, and that was only nine months  
15:00:07 6 of charting.

15:00:08 7 Q What month and year was that, sir, if you  
15:00:10 8 recall?

15:00:10 9 A It was my first year, 2018, and would have  
15:00:18 10 been through end of March through April, I believe  
15:00:22 11 was the month I did. It was the first month we  
15:00:25 12 started traveling.

15:00:27 13 Q Okay. And you believe that the Google  
15:00:31 14 Timeline will establish where you were for the whole  
15:00:35 15 time you were employed at Muncy Industries?

15:00:38 16 A Absolutely.

15:00:39 17 Q Okay.

15:00:40 18 A One hundred percent.

15:00:41 19 Q And is it your contention that every trip  
15:00:45 20 you took during the time you were employed from  
15:00:48 21 January of '18 until 2020, was related to your  
15:00:52 22 employment at Muncy Industries?

15:00:57 23 A Not every trip. There were trips where I  
15:00:59 24 went to vacation with my sister and stuff like that.  
15:01:04 25 But maybe once a year.

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15:01:05 1 Q Okay. With regard to your Complaint that  
15:01:13 2 you filed in this matter in federal court, did you  
15:01:16 3 review that Complaint before it was filed by your  
15:01:18 4 counsel?

15:01:22 5 A I did not review it in its entirety. It  
15:01:31 6 was verbally and we're talking about Ms. Pria, right,  
15:01:36 7 before Mary?

15:01:37 8 Q So I don't know who drafted it. I'm just  
15:01:40 9 asking if the complaint that was filed in court on  
15:01:42 10 March 16th of 2021, if you reviewed that Complaint  
15:01:45 11 before it was filed?

15:01:46 12 A I would say yes.

15:01:57 13 Q Okay.

15:01:59 14 A It was sent to me. I believe I --

15:02:02 15 Q Did you review Paragraph 17, which reads as  
15:02:05 16 follows quote, Throughout their employment,  
15:02:10 17 Plaintiffs performed their jobs well, receiving  
15:02:12 18 positive feedback and no justifiable discipline,  
15:02:18 19 period end quote.

15:02:19 20 Did you review at that paragraph when you  
15:02:20 21 reviewed your Complaint?

15:02:24 22 A I don't recall that paragraph, no, sir.

15:02:27 23 Q Okay. So you would agree with me that the  
15:02:33 24 statement in Paragraph 17 is not correct, right?

15:02:36 25 A I didn't review it, so I don't know if it's

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15:02:44 1 correct or not.

15:02:45 2 Q Well, question is this statement says you  
15:02:47 3 received, it says "both Plaintiffs" that would be  
15:02:49 4 referring to yourself, received no justifiable  
15:02:51 5 discipline, but we've already covered today, I think,  
15:02:54 6 in Exhibit Number 1, an Employee Warning Report where  
15:02:57 7 you were disciplined at Muncy Industries, correct?

15:02:59 8 A Yes, that's correct.

15:03:06 9 Q And you would agree that that discipline,  
15:03:09 10 that Warning Report you received that's marked  
15:03:10 11 Exhibit Number 1, that was justifiable, correct?

15:03:12 12 A Yes.

15:03:14 13 Q And that exhibit we marked as Exhibit  
15:03:26 14 Number 1 that was just a month or two before you left  
15:03:29 15 employment with Muncy Industries, correct?

15:03:30 16 A Could have been, yes.

15:03:34 17 Q Okay. Give me one second, I apologize.

15:04:09 18 (Reviewing.)

15:04:15 19 I know you already testified, Mr. Szabo,  
15:04:17 20 today about how this lawsuit came about, but I just  
15:04:20 21 want to make sure that I'm asking all the questions I  
15:04:23 22 need to. Have you ever filed, related to your  
15:04:27 23 employment at Muncy Industries, any type of action or  
15:04:30 24 complaint with the state, either the Commonwealth of  
15:04:33 25 Pennsylvania or the Louisiana about your wages?

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15:04:37 1 A I had not other than this.

15:04:39 2 Q Did you ever file any type of Complaint

15:04:44 3 against Muncy Industries in any type of state or

15:04:48 4 federal government, and I'm not talking about your

15:04:50 5 federal court case, I'm talking about some kind of,

15:04:52 6 you know, business action or if there's a consumer

15:04:57 7 protection agency, anything like that. Did you ever

15:04:59 8 file anything like that against Muncy Industries?

15:05:01 9 A No, sir.

15:05:02 10 Q Have you ever filed a Fair Labor Standards

15:05:11 11 Act Complaint before this one?

15:05:12 12 A No, sir.

15:05:14 13 Q Do you know -- and if you don't, that's

15:05:28 14 fine, sir, I'm just asking the question -- do you

15:05:31 15 know of any witnesses that you would intend to call

15:05:33 16 at trial in this matter at this point? Do you know

15:05:36 17 who you would like to call?

15:05:40 18 A Sure, yes.

15:05:46 19 Q Who would you like to call?

15:05:49 20 A I would like to call both Megan and

15:05:52 21 Kimberly.

15:05:53 22 Q That is Megan Delahoussaye and

15:05:53 23 Kimberly Bunting?

15:05:57 24 A Megan Delahoussaye and Kimberly Bunting.

15:05:59 25 Q Anybody else?

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15:06:09 1 MS. KRAMER: Greg, I think it's more of  
15:06:11 2 my --  
15:06:13 3 MR. STAPP: That's fine. Yeah, I mean, I  
15:06:15 4 was just curious who he wanted to call.  
15:06:17 5 A Yeah.  
15:06:18 6 BY MR. STAPP:  
15:06:23 7 Q Okay. Give me one last parse through my  
15:06:32 8 notes, guys, and just make sure I didn't miss  
15:06:34 9 anything.  
15:06:37 10 A Yes, sir.  
15:07:19 11 MR. STAPP: Okay. I think that's all the  
15:07:21 12 questions I have, Mr. Szabo. We got you out in time,  
15:07:24 13 Mary, for your court hearing, so.  
15:07:26 14 MS. KRAMER: There's just a few things I  
15:07:27 15 want to follow up and then we'll be almost finished.  
15:07:29 16 MR. STAPP: Sure, I don't have any  
15:07:30 17 questions. Go ahead.  
15:07:30 18  
15:07:30 19 EXAMINATION  
15:07:30 20  
15:07:30 21 BY MS. KRAMER:  
15:07:32 22 Q So, Ric, if you didn't work through lunch  
15:07:35 23 occasionally, what would have happened to those  
15:07:37 24 assignments to what you needed to get done?  
15:07:40 25 A Well, if we didn't work through lunch, I

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15:07:49 1 mean it could have -- it could have -- it would have  
15:07:54 2 just made Mr. Fetter angry pretty much. He was such  
15:07:59 3 a stickler and no one likes to be making him angry.  
15:08:03 4 So literally it was just the fear of making the  
15:08:06 5 employee -- or excuse me, fear of making him mad and  
15:08:09 6 getting yelled at was the reason most of us did it.

15:08:15 7 Q So did you ever take a lunch when you had  
15:08:18 8 work to do or did you --

15:08:23 9 A Yes, we did.

15:08:24 10 Q Did you ever take a lunch while work piled  
15:08:26 11 up and you had to do it?

15:08:27 12 A No. Only when Mr. Fetter would come to the  
15:08:35 13 office and he would take some people out to lunch,  
15:08:38 14 but most of the time, I never took a lunch at the  
15:08:42 15 office or when I traveled.

15:08:44 16 Q Okay.

15:08:45 17 A And it was just because the work demand was  
15:08:47 18 so much.

15:08:48 19 Q Okay. And then I may be misremembering  
15:08:52 20 something you said earlier, but did you say that you  
15:08:54 21 taught Jason Fetter how to do some calibrations?

15:08:57 22 A He was -- I know this should be yes or no  
15:09:03 23 question, but these aren't yes or no questions and  
15:09:06 24 it's because of the person we're talking about.

15:09:09 25 Q Well, let's not go -- let's not worry about

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15:09:12 1 that. Did you teach him how to do the calibrations?

15:09:16 2 A Yes.

15:09:16 3 Q While you were teaching him, did you have

15:09:18 4 authority over him?

15:09:19 5 A No.

15:09:20 6 Q Did you say you messed that up and --

15:09:23 7 A Yeah, no, no. There was no authority over

15:09:25 8 him. It's just simply teaching somebody.

15:09:31 9 Q All right. So prior to working at Muncy,

15:09:35 10 did you have jobs where you were paid hourly?

15:09:38 11 A Yes, I did.

15:09:39 12 Q And in those hourly jobs, did you ever

15:09:42 13 receive bonuses for whatever reason?

15:09:44 14 A No.

15:09:48 15 Q With Muncy what was your main job duty?

15:09:53 16 A To be a calibration technician and be out

15:09:59 17 in the field.

15:10:00 18 Q Okay.

15:10:02 19 A I mean that was 80 percent of my time was

15:10:07 20 out on the road and calibrating machines.

15:10:12 21 Q From your perspective was one of your main

15:10:16 22 responsibilities making sales or signing up clients?

15:10:20 23 A No.

15:10:21 24 Q Making use of the cost of the cell phone

15:10:28 25 and credit card, at any point did anyone at Muncy

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15:10:30 1 indicate that you receiving those items instead of  
15:10:33 2 compensation for the time you worked over 40 hours  
15:10:35 3 per week?

15:10:36 4 A Only the beginning before I was hired, you  
15:10:43 5 know, there was talk about the moving costs and there  
15:10:47 6 talk was about and I quote during your employment you  
15:10:50 7 will be issued a company cell phone, you will be  
15:10:53 8 issued a laptop and you will get issued a company  
15:10:58 9 credit card.

15:10:59 10 Q I think I need to rephrase the question.

15:11:01 11 A Yes.

15:11:01 12 Q When they gave you one of those items, did  
15:11:04 13 they say this is for the hours you worked last week  
15:11:08 14 that were over 40 hours or anything to that effect?

15:11:13 15 A No.

15:11:16 16 Q Then just last question, when you left  
15:11:20 17 Muncy, did that have anything to do with any  
15:11:23 18 discipline you may or may not have received for any  
15:11:25 19 reason at any point?

15:11:30 20 A No.

15:11:30 21 Q What was that?

15:11:32 22 A Wait. What's the question again? I'm  
15:11:35 23 thinking of the cell phone. Repeat, please.

15:11:38 24 Q So there was mention that you had a  
15:11:40 25 write-up about a month or so I think before you left

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15:11:43 1 Muncy; is that right?

15:11:45 2 A Yeah, okay.

15:11:48 3 Q So then was you leaving Muncy in any way

15:11:51 4 related to that?

15:11:53 5 A No. It was a much bigger picture than

15:11:58 6 that, yeah, no.

15:12:00 7 Q Okay. When you were disciplined for

15:12:03 8 something, did you have -- I don't actually, I don't

15:12:10 9 have any more questions. Thanks, Ric.

15:12:11 10

15:12:11 11 FURTHER EXAMINATION

15:12:11 12

15:12:11 13 BY MR. STAPP:

15:12:13 14 Q Just a couple here in follow-ups to that,

15:12:16 15 Mr. Szabo. When you were leaving Muncy Industries,

15:12:18 16 was your mother sick?

15:12:21 17 A She was.

15:12:22 18 Q And did you talk to Mr. Fetter about the

15:12:26 19 fact that your mother as ill when you were

15:12:30 20 contemplating leaving Muncy Industries?

15:12:31 21 A I believe I mentioned after the fact.

15:12:31 22 (Court reporter clarification.)

15:12:31 23 BY MR. STAPP:

15:12:40 24 Q We're not hearing you as well, go ahead.

15:12:41 25 A I'm sorry. I'm just going to answer you

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15:12:43 1 straight up. I think I mentioned it after the fact.

15:12:49 2 Q Sir, didn't you tell Mr. Fetter that you  
15:12:52 3 were leaving because your mom was ill and you needed  
15:12:56 4 to take care of her?

15:12:57 5 A That was part of the reason, yeah.

15:13:01 6 Q Okay. And I thought the reason that you  
15:13:04 7 were leaving was because your mom lives in Louisiana;  
15:13:06 8 is that correct?

15:13:08 9 A No, she lives in Savannah, Georgia.

15:13:11 10 Q So you were going to move back to be closer  
15:13:14 11 to her, was that the goal?

15:13:15 12 A I was going -- the goal was to go [Zoom  
15:13:15 13 unintelligible.]

15:13:15 14 (Court reporter clarification.)

15:13:23 15 BY MR. STAPP:

15:13:23 16 Q The goal was to do what, sir? I'm sorry,  
15:13:24 17 you broke up.

15:13:24 18 A It was to go back, yeah, to go back home,  
15:13:29 19 but things changed.

15:13:29 20 Q But you didn't actually do that, correct?  
15:13:31 21 You didn't go back and live with your mom?

15:13:37 22 A I did not go back. I did not.

15:13:41 23 Q And, in fact, what you did was you took a  
15:13:46 24 job with Chant Engineering within a couple weeks  
15:13:47 25 after leaving Muncy, right?

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15:13:48 1 A Yes, sir.

15:13:51 2 Q You have to just lean forward a little bit,

15:13:54 3 Mr. Szabo, because of your mic.

15:14:00 4 MS. KRAMER: He looks frozen.

15:14:02 5 MR. STAPP: Yeah. Are you still there,

15:14:03 6 Mr. Szabo?

15:14:04 7 (Mr. Szabo's Zoom screen frozen.)

15:14:15 8 MR. STAPP: Yeah, I'm not -- he's totally

15:14:18 9 frozen up here.

15:14:23 10 (Discussion held off record.)

15:14:23 11 MR. STAPP: Can you hear us, Mr. Szabo?

15:14:25 12 You are still frozen. Nope, now he's gone

15:14:41 13 altogether.

15:14:41 14 MS. KRAMER: You want me to just call him

15:14:44 15 since we're finishing it up?

15:14:47 16 MR. STAPP: Yeah, I don't -- however you

15:14:48 17 can do it, is fine. We don't need to do video. I

15:14:52 18 just have a couple questions and then I'll be done.

15:14:55 19 We can go off the record.

15:14:56 20 (Discussion held off record.)

15:16:29 21 MS. KRAMER: Greg, he's saying -- and I

15:16:29 22 just tried to call and went through to his voicemail.

15:16:30 23 He's saying his phone overheated and he can't

15:16:31 24 continue.

15:16:31 25 MR. STAPP: Oh boy.

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15:16:31 1 MS. KRAMER: He asked if you want him to  
15:16:32 2 take his speech [phonetic] out or something to prove  
15:16:34 3 it.

15:16:35 4 MR. STAPP: No, I just had a couple more  
15:16:37 5 about, you know, why he left, is that's all. Boy, I  
15:16:44 6 literally had like two questions, that's so  
15:16:48 7 frustrating. He doesn't have a landline I can call  
15:16:49 8 in on? I wonder if he has a landline you can call  
15:16:52 9 in.

15:20:08 10 (Discussion held off record.)

15:20:08 11 MS. KRAMER: I was saying he has to wait  
15:20:09 12 until it cool off before he calls.

15:20:13 13 MR. STAPP: Why don't you if you want to do  
15:20:14 14 your call at 3:30 and maybe we will come back really  
15:20:16 15 quickly and let everybody go? I really only have two  
15:20:19 16 questions.

15:20:20 17 MS. KRAMER: Yeah, I believe you. Should  
15:20:23 18 we actually say 4:00, so we have a firm time you or  
15:20:26 19 you want to say?

15:20:28 20 (Discussion held off record.)

15:20:28 21 (Recess.)

15:20:28 22 BY MR. STAPP:

15:47:55 23 Q We're ready if you are ready, Ric. Can you  
15:47:57 24 hear me? Okay.

15:47:58 25 A Yes, I got you.

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15:47:59 1 Q So we're back on the record. We were  
15:48:02 2 talking about when you left Muncy Industries, my next  
15:48:09 3 question to you was when you left Muncy Industries,  
15:48:11 4 you didn't end up moving to Savannah, Georgia with  
15:48:14 5 your mother, correct?  
15:48:15 6 A No. That was the intention but, no.  
15:48:23 7 Q I'm sorry, you broke up, that was the  
15:48:27 8 intention, but what?  
15:48:28 9 A But no, I did not.  
15:48:30 10 Q And, in fact, did you just stay in the same  
15:48:37 11 place in Louisiana?  
15:48:38 12 A No. I did move to a new apartment.  
15:48:43 13 Q In the same town?  
15:48:44 14 A Yeah. I'm in the same town.  
15:48:47 15 Q Okay. And you're working for a company now  
15:48:56 16 that's also located in Pennsylvania, like Muncy  
15:49:00 17 Industries is, correct?  
15:49:00 18 A Yes, they are.  
15:49:03 19 Q That's all the questions I have, Mr. Szabo.  
15:49:09 20 A All right, yes, sir.  
15:49:12 21 MS. KRAMER: I don't have anything else so  
15:49:13 22 we're done, Ric. You can take off.  
15:49:17 23 MR. STAPP: All right.  
15:49:18 24 THE WITNESS: All right, guys.  
15:49:18 25 MS. STAPP: Thanks, everyone.

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15:49:19 1 THE WITNESS: Sorry for all the  
15:49:21 2 interruptions, but, yeah, okay.  
15:49:24 3 MS. KRAMER: It happens.  
15:49:26 4 MR. STAPP: okay.  
15:49:28 5 MS. KRAMER: Talk to you later, Greg.  
15:49:31 6 MR. STAPP: All right. Talk to you later.  
15:49:31 7 Take care, everyone.  
15:49:31 8  
15:50:23 9 (Deposition concluded at 3:50 p.m.)  
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1 COUNTY OF CENTRE :  
2 COMMONWEALTH OF PENNSYLVANIA : ss

3 I, HEATHER GOSS BORING, Notary Public,  
4 authorized to administer oaths within and  
5 for the Commonwealth of Pennsylvania and take  
6 depositions in the trial of causes, do hereby  
7 certify that the foregoing is the testimony of  
8 RICHARD SZABO.

9 I further certify that before the taking  
10 of said deposition, the witness was duly sworn; that  
11 the questions and answers were taken down  
12 stenographically by the said HEATHER GOSS BORING,  
13 Notary Public, approved and agreed to, and  
14 afterwards reduced to typewriting under the  
15 direction of the said Reporter.

16 I further certify that the proceedings and  
17 evidence are contained fully and accurately in the  
18 notes taken by me in the within deposition, and that  
19 this copy is a correct transcript of the same.

20 In testimony whereof, I have hereunto  
21 subscribed my hand this 15th day of July 2022.

22  
23 ss:/ Heather Goss Boring  
24 (Signed electronically)  
25 HEATHER GOSS BORING, CSR  
Notary Public

My Commission Number 1060904  
expires on February 17, 2023

## RICHARD SZABO

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## RICHARD SZABO

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